

## Five Immediate Steps to Protect the Federal Historic Tax Credit

To ensure the Historic Tax Credit (HTC) is in a version of a tax reform bill, do not leave any stone unturned. Advocacy from all fronts needs to be going into these offices immediately.

1. Write and call your legislators and ask that they keep the HTC as they reform our nation's tax code. Encourage other businesses and groups to also speak up asap.

- Use script on page #7 below; send e-alerts like draft on page #26
- Goal + 200 touches in these offices in next 14 days from groups such as:
- Architects
- Bankers and lenders
- Business owners
- Chambers of Commerce
- Contractors
- Commercial Realtors
- Developers
- Historic Preservation Commissions
- Main Streets
- Mayors
- Property owners
- Historical societies
- Neighborhood associations
- Preservation groups
- State legislators and officials

2. Ask campaign donors and other influencers to call, e-mail, and visit WDC and district offices. (script on page #7)

3. Request city council to pass resolution (draft below on page #8) and send to legislators' offices.

4. Invite district staff to tour HTC projects (instructions on page #11). Also, request an in-district meeting to share national sign on letter, other local letters and HTC state map/list of projects.

5. Get media for HTC and send to legislators' offices. #HistoricTaxCredit

## II. Talking Points

### Prosperity through Preservation

*Protect and Enhance the Historic Tax Credit*

- The Historic Tax Credit (HTC) **encourages private investment** in the rehabilitation of historic buildings. The credit attracts private capital—\$131 billion since inception—to revitalize often abandoned and underperforming properties that have a financing gap between what banks will lend and the total development cost of the transaction.
- The credit in turn generates new economic activity by leveraging private dollars to preserve historic buildings and create jobs; through 2016, the rehabilitation of 42,293 historic buildings has **created more than 2.4 million jobs**. The HTC can be adapted to provide targeted and timely economic help to areas with special needs. For example, the HTC was temporarily increased to 26% to help rebuild New Orleans after Hurricane Katrina through the GO-ZONE Act of 2005.
- The HTC **benefits local communities**, especially our nation's urban core and rural areas. Over 40% of projects financed in the last fifteen years are located in communities with populations of less than 25,000.
- In addition to revitalizing communities and spurring economic growth, the HTC **returns more to the Treasury than it costs**. In fact, Treasury receives \$1.20-1.25 in tax revenue for every dollar invested. According to a study commissioned by the National Park Service, since inception, \$25.2 billion in federal tax credits have generated more than \$29.8 billion in federal tax revenue from historic rehabilitation projects
- **Tax reform aimed at growing the economy should enhance, not diminish the HTC.** Historic rehabilitation projects frequently have higher costs, greater design challenges, and weaker market locations—all of which results in lender and investor bias against investments in rehabilitation. The Historic Tax Credit Improvement Act enjoys solid bipartisan support and would enhance the HTC by directing more investment to small business transactions along older Main Street corridors. Specifically, the bill creates a 30% credit for small deals to make these transactions more attractive to outside investors who tend to favor much larger investment opportunities. In addition, the bill allows the historic tax credits in these small transactions to be transferred with lower transaction costs, as a tax certificate, making it easier for small business owners to bring outside investment into smaller transactions.

### **Background:**

- The HTC was initially enacted in 1978 and made permanent in the tax code in 1986.
- Thirty-five states across the country, including Louisiana, Wisconsin, Texas, Ohio, Missouri, North Carolina, and Virginia, recognize the economic development potential of historic rehabilitation and have enacted individual state Historic Tax Credit programs that work in tandem with the federal program.
- As an economic activity, historic rehabilitation greatly outperforms new construction in job creation. Rehabilitation project costs are on average 60 percent labor and 40 percent materials compared to new construction, which is about 40 percent labor and 60 percent materials. In addition to hiring local labor, historic rehabilitation materials are more likely to be purchased locally. As a result, approximately 75 percent of the economic benefits of these projects remain in the communities where these buildings are located.
- The HTC is administered by the National Park Service and the Internal Revenue Service in conjunction with the State Historic Preservation Offices. It is comprised of two distinct and separate tax credits used to rehabilitate historic buildings including vacant schools, warehouses, factories, retail stores, apartments, hotels and office buildings throughout the country:
  - The 20 percent credit. The 20 percent credit applies only to certified historic structures. A certified historic building is one that is listed individually on the National Register of Historic Places, or contributes to the character of a National Register-listed Historic District. The 20 percent credit is available for any income producing property, including residential rental projects.
  - The 10 percent credit. The 10 percent credit is for the rehabilitation of non-historic, non-residential buildings built before 1936.

### **The Request to legislators:**

**“Please indicate your support for the Historic Tax Credit to the House Ways and Means Chairman Brady, the Senate Finance Committee Chair Orrin Hatch and others on the committee. Request that they keep the Historic Tax Credit that allows redevelopment of our most challenging but historically significant buildings.”**

### III. Hill Advocacy Resources

#### Script for Calling and E-mailing

- **Legislators need to know that their constituents support inclusion of the Historic Tax Credit in the House and Senate tax reform bill. Below is a script you can use to when calling the Washington office as well as the district offices of both senators and your representative.**

- Step #1 Call the United States Capitol switchboard at (202) 224-3121. A switchboard operator will connect you directly with the House or Senate office you request. Ask to speak to the staff member handling tax and use the script below to guide your conversation. If you can't speak directly to the staff member, leave the message below and ask for a return phone call.
- Step #2 Then call the other legislators that represent you from your state.
- Step #3 Then look up the district offices and call the ones closest to you. Ask to speak to the District Director and use the same script as below.
- Step #4 Finally, send an e-mail using a variation (so they don't disregard your e-mail) of the Subject line: Historic Tax Credit-Tax Reform. Explain that you had called and ask that they communicate your concerns to your representative and two senators.

#### SCRIPT

1. Introduce yourself
2. Say "I have been hearing about tax reform and I wanted to check in to see how the HTC is fairing. I am extremely concerned that is was not specifically mentioned in the tax reform framework.
3. Explain why you value Historic Tax Credits, and that the redevelopment of historic buildings will not get done without the HTC.
4. Talk about recent projects and future projects that won't happen without the HTC
5. Ask.... "As Congress moves forward on tax reform, please ask the Member to be vocal in their support to the Senate Finance Committee Chair, Orrin Hatch, Chairman Brady of the House Ways and Means Committee and others on the committees -- to keep this important incentive that allows redevelopment of our most challenging but historically significant buildings."
6. Invite them to tour a Historic Tax Credit project – or to see historic buildings that won't get rehabbed if HTC goes away.
7. End the call with a request for a response – something like "Would you please let me know your boss' position on the Historic Tax Credit after you've had a chance to present this information I've shared?"

## Sample Local Resolution Draft Language

- **Adopting a resolution calling on legislators to include the Historic Tax Credit in their tax reform bill is a great way to get the attention of local elected officials but also of local media. Share news of the passage in social media as well as with local reporters. Share the resolution with the legislators' offices and ask that they include the HTC in the tax reform bill.**

### **A RESOLUTION TO URGE THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO CONTINUE THE FEDERAL HISTORIC TAX CREDIT PROGRAM, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the federal Historic Tax Credit program (HTC) as we know it today was put in place by Congress and the Reagan Administration to attract capital to historic rehabilitation projects that help stimulate local economies; and

WHEREAS, since the inception of the HTC, it has created over 2.4 million jobs, rehabilitated more than 42,293 buildings, and leveraged \$131 billion in private investment; and

WHEREAS, recognizing the importance of this successful federal economic development program, more than 35 states have enacted complementary state historic tax credit programs to help revitalize the commercial downtowns of their cities and Main Street communities; and

WHEREAS, federal HTC projects have a 99 percent success rate, leverage four private dollars for every dollar of federal support, and are catalytic, building neighborhood confidence and generating follow-on projects for blocks around; and

WHEREAS, over the life of this program, the HTC has generated \$29.8 billion in federal tax revenues compared to \$25.2 billion in credits allocated—more than paying for itself; and

WHEREAS, the federal HTC program [ADD INFORMATION ABOUT LOCAL IMPACT].

NOW THEREFORE BE IT RESOLVED by the [GOVERNING BODY] of the [JURISDICTION] in due regular and legal session convened, that the [GOVERNING BODY] supports the federal Historic Tax Credit program and urges the President of the United States and the United States Congress to continue the federal Historic Tax Credit program.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

## Sample Sign-On Letter #1

- **Sending your legislators a “group sign on letter” is a great way to show depth of support for the HTC as well as breadth. For example, some “sign-on” letters are being sent by groups of mayors and Main Streets, while others are being sent by organizations and businesses within one community. Deliver to the district office (in person if possible) and e-mail and mail hard copy to the Washington, DC office. Ideally, we hope to get 200+ emails and letters into the offices by Nov. 1. Start with a few confirmed signers at the bottom before sharing widely so that others quickly grasp what you are asking of them. Because this is urgent get as many signers as you can but don’t hold off sending. In other words, “don’t let the perfect be the enemy of the good.”**

The Honorable Richard Burr  
520 Hart Senate Office Building  
United States Senate  
Washington, DC 20510

The Honorable George Holding  
1110 Longworth House Office Building  
United States House of Representatives  
Washington, DC 20515

The Honorable Thom Tillis  
185 Dirksen Senate Office Building  
United States Senate  
Washington, DC 20510

November XX, 2017

Dear Senator Burr, Senator Tillis and Rep. Holding:

**In light of Congress’ strong interest in reforming our nation’s tax code, we would like to convey our strong support for the federal historic tax credit (HTC) which has helped preserve and revitalize our community.**

The HTC is the cornerstone of a long-standing and successful national policy of promoting the reuse of historic buildings to catalyze economic development and create jobs. Between 2002 and 2016, the HTC helped finance the rehabilitation of 653 commercial properties in North Carolina, leveraging more than \$1 billion in total investment.

Weakening or eliminating the federal credit, as has been proposed by some in Washington, would endanger the economic feasibility of nearly all historic rehabilitation projects in North Carolina. If Congress repeals or diminishes the HTC, communities across our state will lose an important tool to counter market forces that direct investment away from our main streets and downtown areas due to the higher cost of rehabilitating historic buildings.

Research conducted for the National Park Service by Rutgers University’s Center for Urban Policy Research shows that since the historic tax credit was enacted in 1981, it has leveraged \$131 billion in investment in historic rehabilitation across the nation. It has also created 2.4 million jobs and rehabilitated over 42,293 historic buildings. For every dollar of public expenditure, investors contribute four dollars toward the rehabilitation of historic properties. Since the credits are not approved until the building is placed in service, many of the economic benefits from construction jobs, materials purchased and payroll taxes are generated before the tax credit is awarded.

The HTC is an efficient and effective use of taxpayer dollars. Over the 36 years this incentive has been in place, the federal government has allocated about \$23.1 billion in tax credits. According to the same Rutgers study, these credits, in turn, have generated \$28.1 billion in federal income taxes. So under the dynamic scoring, the Treasury would lose revenue by eliminating the HTC. Recognizing these valuable economic benefits, North Carolina invests in its own Historic Tax Credit. The state's credit amplifies the benefits of the federal credit, attracting more in-state and out-of-state investment.

Recently initiated and completed projects in North Carolina tell a great story. Significant and diverse examples in the state include:

- the White Furniture complex in Mebane has been transformed into 152 market rate apartments;
- Tompkins Hall in Charlotte, a former textile mill built in 1890s, is being renovated for office, retail and restaurant use;
- the Loray Mill complex in Gastonia is being repurposed for residential and shopping uses;
- an 1885 former drugstore in the Goldsboro Historic District, now a restaurant with two market-rate apartments upstairs; and
- in the Wilson Central Business District, the Watson Livery Stable was repurposed for a new brewery and taproom (217 Brew Works) in 2016.

Although large mill complexes in Winston-Salem, like the RJ Reynolds Tobacco Company Factories #90 and #91 (\$220M invested), the RJ Reynolds Tobacco Company Factories #60 and Bailey Power Plant (underway \$128.5M investment), the R.J. Reynolds Tobacco Company Factory #64 (\$43M invested), the P.H. Hanes Knitting Company (\$41M invested), the Reynolds Building (\$37M invested), and Chatham Manufacturing (\$31M invested) have successfully been repurposed using historic tax credits, smaller buildings in communities like **Rocky Mount, Garner and Dunn** have seen their downtowns improved with the Historic Tax Credits.

In Dunn, a five-building education complex built for the county's African American students between 1922-1956 was recently rehabilitated through a creative public-private partnership as affordable housing with community recreational, educational, and social spaces. The historic tax credit leveraged the private rehabilitation cost of \$7.87 million and helped repurpose the complex into 37 apartments as well as a new home for the Dunn Police Athletic League and the Central Carolina Community College, which leases space for its culinary arts training program.

The historic tax credit has created a chance to preserve North Carolina's history while fitting the needs of communities from Wilson to Wilmington and Edenton to Charlotte.

Eliminating the federal historic tax credit would consign historic rehabilitation projects across the state to uncertain futures and would harm the North Carolina credit by vastly diminishing the effectiveness of our state's investments. As Congress works to reform our nation's tax code, we ask that you protect and enhance this federal incentive that uses the historic assets of the past to meet the needs of North Carolina's 21<sup>st</sup> century economy.

Sincerely,

Mayor Smith, City of Bluefield  
Mayor T. Price, City of Richfield

**NOTE: You don't have to ask for and add copies of signatures – just list those individuals and their organizations as they want to be listed. As others sign onto the letter, share recent .pdf of letter with multiple signers and re-circulate. Others are more likely to add their name to the letter if they see multiple signers.**

## Sample Sign-On Letter #2

November XX, 2017

Senator Mitch McConnell  
Senator Rand Paul  
Representative James Comer  
Representative Brett Guthrie  
Representative John Yarmuth  
Representative Thomas Massie  
Representative Harold "Hal" Rogers  
Representative Garland "Andy" Barr

Dear Kentucky Congressional Delegation:

As Main Street community leaders and advocates for preservation in Kentucky, we wish to **convey our strong support for retaining the federal Historic Tax Credit during tax reform.**

Since its inception in 1978, this proven tool creates local jobs, generates tourism and preserves Kentucky's historic properties. Please let your colleagues on the tax writing committees know about your support of the federal historic tax credit (HTC).

As President Ronald Reagan said when he addressed a national Town Hall meeting of almost 2000 Main Street communities, *"Our historic tax credits have made preservation of our older buildings not only a matter of respect for beauty and history, but of course for economic good sense."* Since then we have witnessed first-hand the positive impact it has had on our local economies.

In Kentucky, the tax credit has helped finance 345 commercial rehabilitation projects between 2002 and 2016 resulting in more than \$500 million in development investment and more than 9,000 construction jobs. Last year alone, the Historic Tax Credit helped to generate over \$70.5 million dollars in construction dollars invested in our state's historic buildings. These rehabilitated buildings are generating new jobs, housing, and tourism for the state and are sparking rejuvenation of our historic commercial districts from Covington to Campton and from Paint Link to Paducah.

Rutgers University found that the rehabilitation and repurposing of the 42,293 historic buildings generated over \$131 billion in total economic activity and 2.4 million jobs – 109,000 in 2016 alone. Rutgers also found that in addition to leveraging significant private funding, the Historic Tax Credit earns a net positive return in federal revenue. Since 1978, the \$25.2 billion in credits allocated have returned an estimated \$29.8 billion in federal tax revenue.

The Historic Tax Credit helps us create more jobs and stimulate additional investment in our Main Street communities, while protecting important historic resources.

For the benefit of Kentucky's small towns and historic commercial districts, we ask that you **protect the Historic Tax Credit in tax reform.**

Sincerely,

Main Street ABC  
Main Street XYZ  
Main Street Richfield  
Owner, Graham Florist



## Arranging a Site Visit for District Staff

Visiting a historic tax credit project provides district staff with a unique opportunity to see first-hand how the federal government is leveraging significant private investment through the reuse of our historic buildings. They also learn how many jobs are created during the construction phase, how the new use will spur broader economic activity in the surrounding neighborhood, and how the historic character of the building is preserved. District staff can then relay your interest and what they learned to the Washington, DC staff and the Member themselves.

- Decide which historic tax credit project in your area offers the greatest opportunity to highlight the benefits of the program. Offering a tour either during construction or after a property is placed in service are great ways to highlight different aspects about the value of the program.
- Try to involve multiple partners such as developers, architects, contractors, preservation & Main Street groups as they may have connections to the legislators' offices. Also, involving a variety of partners will also help you respond to a broader array of questions.
- Be prepared to be flexible on dates in order to secure a commitment.
- Call the office and ask to speak to the Director about a request to meeting. Follow up with a compelling written invitation that you send electronically. District staff members are more likely to accept an invitation if there are more constituent groups making the request. Be sure to coordinate with the team.
- If you do not receive a reply from a Congressional office after two days, follow-up by calling the office. Develop a rapport with the scheduler by being patient and persistent.
- Before the visit, meet with your team and decide who will tell which part of the tax credit story. For example, who will describe details about financing of the project, impact on the neighborhood, and historic significance of the building?
- Share the list of HTC projects and map to show how the HTC is used statewide -- in large cities and small towns. A one-page document that describes the history of the building(s) and its contribution to the community can be helpful as well.
- During the visit, ask that the legislator **include the historic tax credit in the tax reform bill.**
- During the visit, questions may be asked to which you do not have an answer. It is entirely appropriate to simply state you do not have that information, but that you would be happy to follow up with the answer as soon as possible.
- In addition to the very important thank you letter, follow up with additional materials you think would be helpful and with any information specifically requested.

## IV. Additional Online Resources

- **How do I find my federal legislators?** <https://www.govtrack.us/>
- **Where can I find maps of HTC projects in my state or district?**
  - State maps - <http://forum.savingplaces.org/viewdocument/historic-tax-credit>
  - District maps
- **Where can I download national sign-on letter?**
  - National Sign on Letter
- **How can I learn more?**
  - Listen to last webinar.
  - Register for Nov. 2<sup>nd</sup> at 2:00 p.m. webinar.
- **Where can I access HTC reports and case studies?**
  - The Annual Report on the Economic Impact of the Federal Historic Tax Credit for FY 2016, prepared by researchers at the Edward J. Bloustein School of Planning and Public Policy at Rutgers University, in collaboration with the National Park Service, describes the HTC's economic impacts.
  - The Catalyst for Change report was produced as part of the Prosperity through Preservation campaign to project and enhance the federal HTC. The National Trust and its subsidiary, the National Trust Community Investment Corporation, retained economist Donovan Rypkema in 2014 to complete a study that quantifies the ways in which the historic tax credits serve as catalysts for economic development.
  - Reports for specific states:
    - Texas, 2016
    - Montana, 2016
    - Wisconsin, 2015
    - Ohio, 2014
- **Where can I learn who co-sponsored the Historic Tax Credit Improvement Act?**
  - The HTCIA was a great way to generate awareness and support of the Historic Tax Credit. Those members who co-sponsored the bill should NOW be asked to speak out on behalf of the credit so it is not lost during tax reform.
    - House bill (H.R. 1158) text and co-sponsors
    - Senate bill (S. 425) text and co-sponsors
    - One-pager summary
- **What is a one-stop-shop to find materials on the HTC (maps, webinars, blog posts, updates, etc.)?**
  - Federal HTC:  
<http://forum.savingplaces.org/learn/fundamentals/economics/tax-credits/federal-htc>
  - State HTC:  
<http://forum.savingplaces.org/learn/fundamentals/economics/tax-credits/state-htc>

## **II. Historic Tax Credit in the News**

### **Working with Local Media**

Share HTC success stories through a news story, letter to the editor, contributed column or radio or TV broadcast news interview brings the impact of the historic tax credit to life.

Through stories in local newspapers, blogs and broadcast media, you can educate the broader community on how these projects are contributing to the local economy, Main Street revitalization, cultural identity and community well-being.

Examples of stories that may be of interest include a retrospective on HTC projects, an interview with a local developer, historic buildings that were saved in part by using the HTC, etc.

### **Media Relations: General Tips for Pitching Reporters**

The following are tips on pitching a story or event to a reporter. Some of these tips are also relevant to establishing and maintaining a solid working relationship with reporters. Initiating contact with relevant reporters before, during, and after coverage will help affirm a relationship which may prove helpful when you seek to pitch a story to score media coverage.

- **Do Your Research**

Learn as much as you can about the reporter's interests before you pitch them on a story idea. Follow them on Twitter, read their recent stories and blogs and create a Google news alert with their name to keep up with their writing. Leave a comment on a relevant story, retweet it and/or email them with a comment or question when appropriate to begin cultivation of the relationship. This will help you both get to know each other.

- **Grab Their Attention**

Get to the point, and then work the details. If you are cold calling a reporter with whom you do not already have a relationship, or even if you have worked with the reporter before, it is important to get their attention quickly. You should know why the reporter might cover your story. You should be able to quickly and interestingly explain the story or event.

- **Practice Your Pitch**

Prepare your story by practicing the pitch on a co-worker to be sure your story and approach is interesting. Write down important details and outline how you plan to pitch the story.

- **Listen First**

When you call a reporter, be sure they are not on deadline. If so, the reporter may wish to speak to you at a better time. Inquire as to a better time to call and call back at that time. If you've sent an introductory email or already left a voicemail, don't assume they've already seen/heard it. Also, don't ask them if they have. Start fresh, at the beginning.

- **Be Specific**

When you talk to the reporter, be prepared with supporting facts including sources, names, and details. You need to be organized in case the reporter wants to follow up on any stories or facts you present. Be specific about your story.

- **Know the Issue**

The reporter you work with may be very knowledgeable on the details surrounding your story. You should have a clear message and story as well as in-depth knowledge on the issues.

- **Relevance**

Connect your story with a relevant current event. Maybe there is a related bill in Congress or a new study or local issue that makes sense to reference.

- **Facts**

If you do not know the answer to a reporter's inquiry, suggest that you call them back when you have the information. Do not make up facts as they may appear on tomorrow's front page.

- **Additional Materials**

Be prepared to offer additional materials such as pictures, background information and sources which they may need to complete a story.

- **Keep Record**

Record what stories you pitch and to whom. This will provide you with a log of reporter interests and requirements that may aid in working with the reporter in the future.

- **Retry, Re-pitch**

Do not harass a reporter. However, you should consider different angles which strike different interests if one method is not working. If you come up with a new angle or development, feel free to pitch the story to the reporter again. Also, feel comfortable to ask for feedback if they aren't interested; it may help generate another hook.

- **Be a Resource**

Even if you don't have a particular story idea to pitch to your media contacts, if a story about a historic building that could be used for commercial use makes the news (demolition threat, ground breaking, ribbon-cutting, funding vote, etc.), reach out and offer to be a resource on the HTC.

## **Media Relations: Making Contact**

### **Print:**

Newspaper deadlines vary according to individual newspapers, but a reporter typically hits deadline around 2 pm for morning newspapers. Most print reporters, due to daily deadlines, are only free for phone conversations a few hours during the early part of the day. Email is a great way to communicate with a reporter. (see next page for **Sample News Story**)

DO NOT call print reporters after 4 pm as they are usually filing their stories at that point.

### **Television:**

Television stations operate primarily off media alerts, a brief one-page outline invites the media to attend an event, and press releases, an announcement written like a news story to describe compelling news your organization is making, since these are tools that allow them to look quickly at information. The correct person to send these to and to call to pitch the story will be the assignment editor or manager or the planning editor or manager.

It is always a good idea to fax or email the media alert a day or two before your event and again the morning of the event. If you email it, be sure to copy and paste into the body of the email to ensure it is delivered—emails with attachments can trigger spam filters. Call and ask for the assignment desk, which will confirm receipt of your press materials.

Television needs a visual opportunity to make a story happen. When contacting an assignment editor, be sure to include the visual elements of your story—the photo opportunities. If you already have video it is even easier to gain television coverage. Video footage that is not packaged into a complete news story is called B-roll. Having this sort of footage available gives you an advantage when you are pitching a television story, but it is sometimes expensive to create and may not help if the story is not one that has the right news hook. However, having good B-roll can often make the difference to a decision about coverage.

Television newsrooms tend to be even more pressed for time than print publications. You may have to speak to more than one assignment editor or forward your materials several different times and to several different people.

### **Radio:**

Familiarize yourself with the station's audience and informational needs. If you are contacting a news radio station, research their different programs and determine which one would be a good match with your story. Organizations like National Public Radio like to have stories with a rich variety of sound. Think about what kind of audio your story can include, and who can be a dynamic spokesperson for your story. Offer these elements in your pitch to the producer or reporter.

### **Blogs:**

Blogs are niche by nature, meaning they focus on a specific topic and can help get a message out to your target audience. Reaching out to bloggers is smart because there is the potential that they will take interest in your cause and write about it every day. They might also link to your Web site and/or the National Trust's site.

You can search for blogs covering your geographic area/area of interest on **Technorati** [www.technorati.com](http://www.technorati.com), **Google** <http://blogsearch.google.com> and **Blogflux** [www.blogflux.com](http://www.blogflux.com), in addition to many other places.

To approach bloggers, look for an email address on their page. The email might be under their profile link, a "contact us button" or on the side bar. If you can't find an email, leave a post that expresses your interest in contacting the blogger. Also look for them on Twitter and Facebook. Bloggers are vigilant by nature, and will usually respond to you as soon as they can.

### **III. Storytelling Outlets and Tools**

#### **Sample News Story**

##### **LANDMARKS LEADER WORRIED ABOUT LOSS OF TAX CREDITS FOR RESTORED BUILDINGS**

**Kokomo Tribune 4/24/17**

INDIANAPOLIS -- A former furniture factory near the Indianapolis Zoo may not have been turned into 124 loft apartments if not for a federal tax credit for the rehabilitation of historic buildings.

The same might be said for more than 160 buildings throughout Indiana that have been restored through the federal Historic Tax Credit program since 2002.

The credits for rehabs of historic landmarks range from the \$2.2 million for The Ohio Building in Terre Haute to the \$29,874 in credits for the Kreuzberger House in Logansport. They include \$295,936 for Schimpff's Confectionary in Jeffersonville and \$1.8 million for the Lincoln Hotel in Goshen.

Now, the executive director of the Indiana Landmarks preservation group is worried that the tax credit could be eliminated if Congress begins a sweeping tax reform.

"What it will clearly do is take historic preservation out of the game of being a major force for economic revitalization," said Marsh Davis, president of Indiana Landmarks, the statewide preservation group.

He fears that some folks in Congress believe that eliminating HTC would lead to lower taxes.

"Without the HTC, so many of the rehabilitation projects that have transformed cities and towns across America would not have been possible," Davis said.

There has been no official word about a possible funding cut as the House Ways and Means committee begins to meet in May.

In Indiana, the Historic Tax Credit program has brought back to life such structures as the West Baden Springs Hotel, the Kokomo YMCA and the Charley Creek Inn in Wabash. Perhaps best known on the list is the remodeling of Hinkle Fieldhouse at Butler University, which received \$42.2 million in qualified tax credits.

Although among a myriad of grants and funding programs available to redevelopers, the HTC has since 1976 led to the rehab of more than 41,000 historic places across America. In turn, that has created 2.3 million jobs and leveraged more than \$78 billion in private investments, according to the National Park Service, which administers the program along with the Internal Revenue Service.

The main element of the program provides a 20 percent credit for the rehabilitation of income-producing projects such as converting into loft apartments or improving Hinkle for revenue-producing activities. The credit can be applied to the individual's or the corporation's federal tax liability, essentially for rehab work of a permanent nature such as replacing windows, installing a mechanical system or other labor and materials.

Past analyses found that about two-thirds of all projects nationally were in neighborhoods at or below 80 percent of area median family income.

In Wabash, a former apartment building was renovated into the boutique-style Charley Creek Inn by philanthropist Richard E. Ford. In Indianapolis, the charter Herron High School is converting a former Naval academy on the city's west side into a campus. The downtown Indianapolis eight-story Harrison Hotel is being renovated by the Indiana Association of Realtors for office space.

All three projects were restored through RATIO Architects in Indianapolis; all used the historic tax credit.

"If the credit were eliminated all together, I think it would have a very negative impact on the rehabilitation of historic buildings," said David Kroll, principal and director of preservation at RATIO Architects.

"The credit was originally created to level the playing field as far as expenditures since sometimes it could be more expensive to rehabilitate a current building than construct a new one and the credit was created to help offset that. So if you no longer have any credits available for some of these projects, these buildings may just continue to sit or maybe demolished," he said.

Near the Indianapolis Zoo, the Harding Street Lofts are a complex of four buildings constructed in the late 1800s. German furniture maker Henry Lauter opened his shop there and it operated until the Great Depression. In 1937, the site was sold to a grocery warehouse operator and a paper recycling firm. Both had left by 2010.

In 2011, Core Redevelopment -- whose website motto advertises "We transform history into your next home" -- purchased the U-shaped complex and converted it into 124 units. The size of the project required historic tax credits, said Eric Seal of Core Redevelopment.

"At 125 units it was a fairly large project so the historic tax credit provided a gap where, if we didn't have it, the building would have been done differently and not by us," Seal said.

Seal also works in other states where HTC and other rehab-related credits are offered.

If Congress takes the historic tax credit, those state credits would probably lapse, too," Seal said.

## Sample request for an editorial board meeting

- A meeting with the local newspaper's editorial board is a terrific way to help get media coverage for the HTC. A sample e-mail is provided below.

[Date]

**To:** [Insert Publication Name] Editorial Board

**From:** [Your name, title, and organization]

**Re:** Editorial Board Meeting Request on threat to the federal Historic Tax Credit

The next few weeks are critical to the fate of the federal Historic Tax Credit as Congress moves forward on efforts to reform the nation's tax code.

I would like to request an opportunity to meet with the editorial board to discuss the local and statewide impact of the federal historic tax credit. [Add name of developer, mayor, local business community leader] will join me to share with you the program's successful track record of historic preservation and economic revitalization in our community.

Please contact me as soon as possible to schedule a convenient time. I can be reached at [phone and email].

### **Background on the Federal Historic Tax Credit**

The HTC is the most significant federal investment in historic preservation, and the credit has returned dividends to the American taxpayer. Over the life of the program, the HTC has created more than 2.4 million jobs and adapted 42,293 historic buildings to new and economically productive uses. Moreover, this tax credit is an investment that generates revenue for the Department of Treasury. Since the program's inception in 1978, \$25.2 billion in credits have resulted in a return of \$29.8 billion in tax revenue directly linked to the rehabilitation of historic buildings. Roughly translated, this means that for every \$1.00 in credits allocated by the federal government, \$1.25 in new federal tax revenue is generated. Overall, the federal historic tax credit has generated \$131 billion in total development activity.



## Sample Op-Ed

**An op-ed is a column that is generally 600-800 words and should adhere to the guidelines of the specific website or newspaper in which it will be published. The purpose of an op-ed is to help educate and influence public opinion on an issue. Op-eds are published in one print publication exclusively in accordance with the media outlet's editorial policy and often have a call to action related to the issue.**

### **Protect the Federal Historic Tax Credit**

As Congress and the administration begin serious negotiations on comprehensive tax reform, it is vital they recognize the critical importance of capital investments in our nation's communities. In particular, the Federal Historic Preservation Tax Incentives Program is an incentive that should be strengthened, not diminished, by any tax proposal put forward by the Congress or the White House. *[Your opening should make the topic clear and grab the reader's attention].*

Commonly referred to as the Federal Historic Tax Credit (HTC), it was initially implemented in 1976 to encourage private investment in projects to rehabilitate historic buildings including vacant schools, warehouses, factories, retail stores, apartments, hotels, and office buildings throughout the country. The HTC provides a 20 percent credit for the rehabilitation of historical buildings and a 10 percent credit for non-historic buildings placed in service before 1936.

Through 2016, the HTC has resulted in the rehabilitation of more than 42,000 historic buildings and has created more than 2.4 million jobs nationwide. The rehabilitation and development of such valued national landmarks as The Humble Oil Building in Houston, Texas, the Mitchell Lewis Motor Company Building in Racine, Wisconsin, and the Tribune Building in Salt Lake City, Utah, were made possible through the use of the HTC. All of these projects have helped strengthen those communities both in terms of providing needed economic development and revitalizing valued historical buildings.

*[Add additional paragraphs that support your main point. Use clear, concise examples and anecdotes].*

In my home state of Oklahoma alone, from 2002–2016, more than 100 rehabilitation projects were performed via the HTC program, representing more than \$600 million in investment and creating more than 12,500 jobs for the state, according to figures provided by the National Park Service. Without the incentives created by this program, important historic rehabilitation projects would have never occurred due to higher costs, design challenges, and weaker market locations, which result in lenders and investors being unwilling to provide the capital investments necessary for their rehabilitation.

In addition to creating jobs, fostering economic growth, and revitalizing communities in need, the HTC actually returns more in revenue to the government than the tax credits themselves cost. In fact, the government receives \$1.20–\$1.25 in tax revenue for every dollar invested. According to a study commissioned by the National Park Service, 23.1 billion in federal tax credits have generated more than \$28.1 billion in federal tax revenue from historic rehabilitation projects. Even in the context of budgetary limitations, there is no economic justification for ending or weakening the HTC. ***[Including compelling numbers strengthens the column's impact]***

Some critics of the program will argue that the HTC is unnecessary, as the projects that are developed using the HTC would have been performed even without those tax incentives. As someone who has spent his own time and financial resources on such historic rehabilitation projects, I can assure you that the HTC is an essential financial component in determining where investment dollars are driven. There is no doubt that without the HTC, many restoration projects of older, historic buildings — from Maine to California — would not be economically feasible. Eliminating the HTC would only serve to slow the economic growth of many of America's communities.

Thankfully, there are leaders in Congress who understand the critical importance of the HTC. This year, the Historic Tax Credit Improvement Act was introduced. This bill would serve to strengthen the HTC by increasing the credit from 20 to 30 percent for projects with rehabilitation expenses of less than \$2.5 million, simplifying the application process for small developers and creating greater flexibility for non-profit organizations to partner with developers in redevelopment projects. Support for this legislation even crosses party lines. In the House, 38 Republicans and 35 Democrats signed on as cosponsors; in the Senate, 9 Democrats and 4 Republicans have signed on. In both chambers, many of the cosponsors sit on the tax-writing committees.

Eliminating the HTC will hamper the rehabilitation of our nation's historic buildings and slow the economic growth of many of our communities in need. This is why I hope that in reforming the nation's tax code, Congress and the administration will keep or even strengthen the HTC.

➤ ***[Conclude with your name, title, organization and any other pertinent identifying information]***

## Sample Letter to the Editor

- A letter to the editor is typically less than 200 words and is written in response to an article, editorial or news published in a newspaper or website. The letter should be written and submitted within days of the original article's publication. The purpose of the letter is not simply to praise or denounce an article, but instead to raise additional questions, make an expanded point or clarify part of the original article.

### Tax Credit Spur Development

The Baton Rouge Advocate

As the lead developer behind the upcoming redevelopment of the historic St. Rose de Lima Church and School in New Orleans, I share in the excitement around creating a new future for the campus on Bayou Road ("Southern Rep Theatre, Waldorf School to move to vacant Bayou Road church complex," Arts, Jan. 27). Our company has rehabilitated several historic properties in New Orleans and beyond, such as the Myrtle Banks Building in Central City, and we have seen the tremendous impact of bringing new uses to a landmark building while maintaining its historic character: namely generating jobs, addressing blight and vacancy, and creating new neighborhood amenities. ***[Highlight the impact of the HTC in the first paragraph]***

These projects typically require multiple private and public sector partners, and one of the key pieces in making the St. Rose redevelopment feasible is the federal historic tax credit, a program that for 30 years has provided developers with a tax credit in exchange for retaining a historic building's distinctive character. Examples from New Orleans range from the Saenger Theater to small apartment buildings. Particularly when coupled with the Louisiana state credit, the federal historic tax credit is a critical tool for covering the additional costs that come with the careful preservation and reuse of New Orleans' invaluable, but too often neglected, historic schools, theaters, religious buildings, office buildings and more.

New Orleans neighborhoods need robust federal and state historic tax credits to preserve more than their bricks and mortar; these programs are critical to advancing community and economic development. As our elected officials in Washington, D.C. debate tax reform, we should urge them to support the federal historic tax credit as a permanent part of the federal tax code.

***[Your name, title, and organization]***

## Sample Press Release

- The press release should be one to one and a half pages, include at least one quote from your organization's spokesperson and conclude with a boilerplate, which is a brief description of your organization and its mission. The purpose of a press release is to share timely news with media and the public and compel reporters to cover your story.

### New Research Shows Federal Historic Tax Credit Achieved a Record Increase in Use and Economic Impacts in 2016

***[Your contact name, phone and email]***

***[Date, city]:*** Recently released research shows that a federal tax incentive that is in danger of elimination as part of the Congressional tax reform process has a profound and positive impact on our nation's economy and quality of life while more than paying for itself. Produced by the National Park Service and Rutgers University, the **Annual Report on the Economic Impact of the Federal Historic Tax Credit for FY 2016** revealed that use of the federal historic tax credit (HTC) reached an all-time high in fiscal year 2016 (FY 16). Rehabilitation of 1,039 historic buildings was made possible by \$1.2 billion in tax credits, generating 109,000 jobs and \$1.7 billion in federal state and local taxes—which more than cover the cost of the program. FY 16's annual activity level is an increase of nearly one third (32 percent) over last fiscal year, representing the largest year-over-year increase since 1986. ***[The opening paragraph should present the most important part of your news and why it matters]***

"The federal HTC program has preserved and rehabilitated thousands of historic buildings while promoting economic revitalization in cities and towns across the country," said Merrill Hoopengardner, president of NTCIC, a subsidiary of the National Trust for Historic Preservation. "As this research shows, more than 40 percent of HTC projects over the last 15 years were located in communities with populations of less than 25,000, proving that this tool is vital to our Main Streets and rural areas too. At the end of the day, we are focused on creating positive, transformational, and lasting change in disinvested communities nationwide. The HTC is a unique and creative way to obtain those results." ***[Include quotes from leaders whose credibility adds impact to the announcement]***

The recent uptick in development can be attributed in large part to the real estate market shift that has occurred over the last 10 years, wherein many in the millennial and baby boomer generations want to live, work, and play in authentic downtown historic residential and commercial spaces. These market trends can be seen in nearly every major American city from New Orleans, Memphis and Mobile in the South, to Cleveland, Toledo and Detroit in the Midwest, and Dallas, Tulsa and Los Angeles in the West. Without the HTC, developers say they would not have the financing tools to meet this demand.

The report also found that, since its inception in 1978, the federal HTC has attracted \$131 billion in private investment to the rehabilitation of 42,293 historic buildings,

creating over 2.4 million jobs and serving as a net-revenue generator for the U.S. Treasury: the \$29.8 billion in federal taxes generated by HTC projects exceeds the \$25.2 billion in credits allocated.

This research demonstrates the significant and cost-effective economic benefit of reusing vacant hotels, schools, factories and other forgotten historic resources and affirms the need for the HTC. Developers repeatedly state that these rehabilitation projects simply would not be financially feasible without the incentive provided by the HTC. Lenders and investors typically favor new construction over riskier rehabilitation projects; historic rehabilitation projects frequently have higher costs, greater design challenges, and weaker market locations.

Despite the HTC's winning combination of results and cost-effectiveness, House Republican leaders have vowed sweeping reform of the tax code, and that no tax incentive is safe. The National Trust for Historic Preservation and NTCIC have joined with their industry partner, the Historic Tax Credit Coalition, and other national, state, and local preservation groups to help raise awareness of the importance of the HTC to America's economy and quality of life.

The full report text and more information about efforts to protect and enhance the HTC may be found at [www.savehistoriccredit.org](http://www.savehistoriccredit.org).

> ###

#### **About NTCIC**

National Trust Community Investment Corporation (NTCIC) enables tax credit equity investments that support sustainable communities nationwide. NTCIC is a wholly owned for-profit subsidiary of the National Trust for Historic Preservation. [ntcic.com](http://ntcic.com) | [@ntcic](https://twitter.com/ntcic)

#### **About the Historic Tax Credit Coalition**

The Historic Tax Credit Coalition (HTCC) is a national nonprofit organization comprised of a variety of stakeholders that recognize the importance of the federal Historic Tax Credit, including architects, developers, preservation consultants, syndicators, investors, lawyers and accountants. In addition to ensuring the future of the federal Historic Tax Credit, coalition members advocate for important improvements that would make the credit a more efficient and effective means of financing the rehabilitation of historic and older buildings. [Historiccredit.com](http://Historiccredit.com) | [@historiccredit](https://twitter.com/historiccredit)

> ###

The National Trust for Historic Preservation, a privately funded nonprofit organization, works to save America's historic places. [SavingPlaces.org](http://SavingPlaces.org) | [@savingplaces](https://twitter.com/savingplaces)

## **Sample Press Statement**

MEDIA CONTACT: ANDY GRABEL, 202.588.6025, AGRABEL@SAVINGPLACES.ORG

### **NATIONAL TRUST: NEW LEGISLATION WOULD INCREASE INVESTMENT IN HISTORIC MAIN STREETS AND PROPERTIES**

*Statement by Stephanie K. Meeks, president of the National Trust for Historic Preservation*

Washington (February 17, 2017) – Sen. Susan Collins (R-ME), Sen. Ben Cardin (D-MD), Rep. Mike Kelly (R-PA) and Rep. Earl Blumenauer (D-OR) introduced the Historic Tax Credit Improvement Act (S. 425, H.R. 1158) yesterday. This new legislation would increase the number of historic buildings across the country that can benefit from historic tax credits and thus enable more rehabilitation projects. The following is a statement from Stephanie K. Meeks, president and CEO of the National Trust for Historic Preservation:

“The federal historic tax credit is the driving force behind rehabilitation projects that have given new life to historic buildings, created millions of jobs and attracted billions in private investment. We commend Sens. Collins and Cardin and Reps. Kelly and Blumenauer for their leadership in proposing sound improvements to the federal historic tax credit. Now, more libraries, theaters, town halls and other buildings can be restored to serve their communities in new ways. Tax reform aimed at growing the economy should enhance the historic tax credit.”

#### **BACKGROUND ON THE HISTORIC TAX CREDIT IMPROVEMENT ACT of 2017**

The Historic Tax Credit Improvement Act of 2017 makes long overdue changes to the federal Historic Tax Credit to further encourage reuse and redevelopment in small, midsize and rural communities. Main Streets across America will have a stronger tool to help breathe new life into their historic buildings. The bill will increase the credit from 20 to 30 percent for projects with rehabilitation expenses of less than \$2.5 million, which will help inject new private investment into smaller and more rural communities. Other improvements include simplifying the process for the transfer of historic tax credits to investors for projects under \$2.5 million. The bill provisions would be the first major changes to the federal Historic Tax Credit since the 1986 tax bill.

###

## Sample E-Alert

### PROTECT THE HISTORIC TAX CREDIT!

#### Republican Tax Reform Framework Released—Historic Tax Credit Not Identified as Worth Keeping!

Dear recipient,

As anticipated, Republican leadership released a tax reform outline intended to guide House and Senate tax writing committees in their drafting of tax reform legislation.

The framework does not explicitly preserve the historic tax credit and envisions that most business tax credits will be repealed. The federal historic tax credit is the government's primary way of responding to the failure of the market to preserve historic income-producing buildings. Without a federal historic tax credit, the historic fabric of our urban centers, Main Street commercial districts, and small towns nationwide face a much greater risk of economic obsolescence or demolition. **If you care about the future of historic preservation, now is the time to act.**

**Urge your Congressional delegation to contact members of the House Ways and Means and Senate Finance Committees with the message that repealing the historic tax credit is bad policy.** The need for tax reform is clear, but it must not come at the expense of a program that more than pays for itself and has a proven track record of creating jobs, saving historic buildings, and revitalizing neighborhoods.

Now is the time to speak up for the historic tax credit. Join us in letting Washington know that historic preservation advocates need their voices heard. Our history is too important.

Thank you.

name  
title, organization

## Sharing Your Story Online

Twitter and Facebook are the best social media for issue advocacy. Use them to post:

- Links to HTC press articles and video
- Photos of HTC advocacy meetings with lawmakers
- HTC ribbon cuttings and site tours
- "Before" and "after" photos of HTC projects

The search engine to find HTC is **#HistoricTaxCredit**. Don't forget to add this hashtag to all your posts so that they will be easily accessible.

## National Trust Channels

### About our online resources

There are several National Trust channels to consider for spreading the word about historic tax credit projects in your state. These include our organizational online resources, publications, e-newsletters and social media platforms.

The National Trust manages two blogs. Our **Preservation Leadership Forum** blog is geared toward helping professional preservationists stay on top of the latest research, tools, resources and trends. The other is the National Trust website [savingplaces.org](http://savingplaces.org), which features less-technical treatments of stories of people saving places that would appeal to a national audience.

The Trust is very active on social media, especially Facebook and Twitter.

### Types of content to submit

Our editorial team would be interested in:

- recent op-eds, editorials, letters to the editor or media stories that reference the HTC—or that didn't, but should have.
- upcoming ribbon cuttings or ground-breakings of HTC projects
- HTC projects that have helped transform a district or neighborhood
- iconic buildings that have been revived with the HTC
- particularly innovative or creative adaptive use projects, especially those that blend sustainability technology with historic preservation
- historic tax credit projects that have a strong community benefit component, and if possible, leads on individuals who have directly benefited
- compelling before and after photos of a HTC project
- events that relate to raising awareness of the HTC
- blogs from your statewide or local preservation organization

### How to submit content

To submit your story idea to be shared in National Trust print or online publications and social media channels, contact [editorial@savingplaces.org](mailto:editorial@savingplaces.org). To submit your story idea to Preservation Leadership Forum, email [forumonline@savingplaces.org](mailto:forumonline@savingplaces.org). In either case, please reach out to ask any questions that could help frame your story idea or research before submitting content.



## **IV. We're Here to Help**

### **National Trust Contacts**

National Trust for Historic Preservation  
2600 Virginia Avenue, NW, Suite 1100  
Washington, DC 20037  
P 202-588-6000

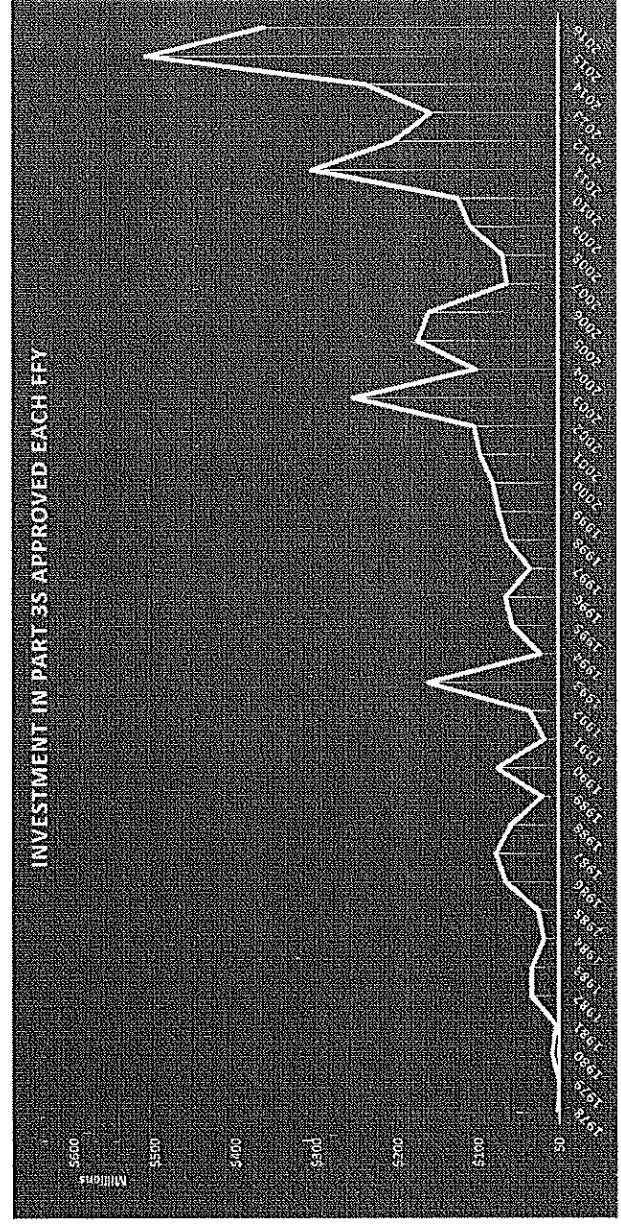
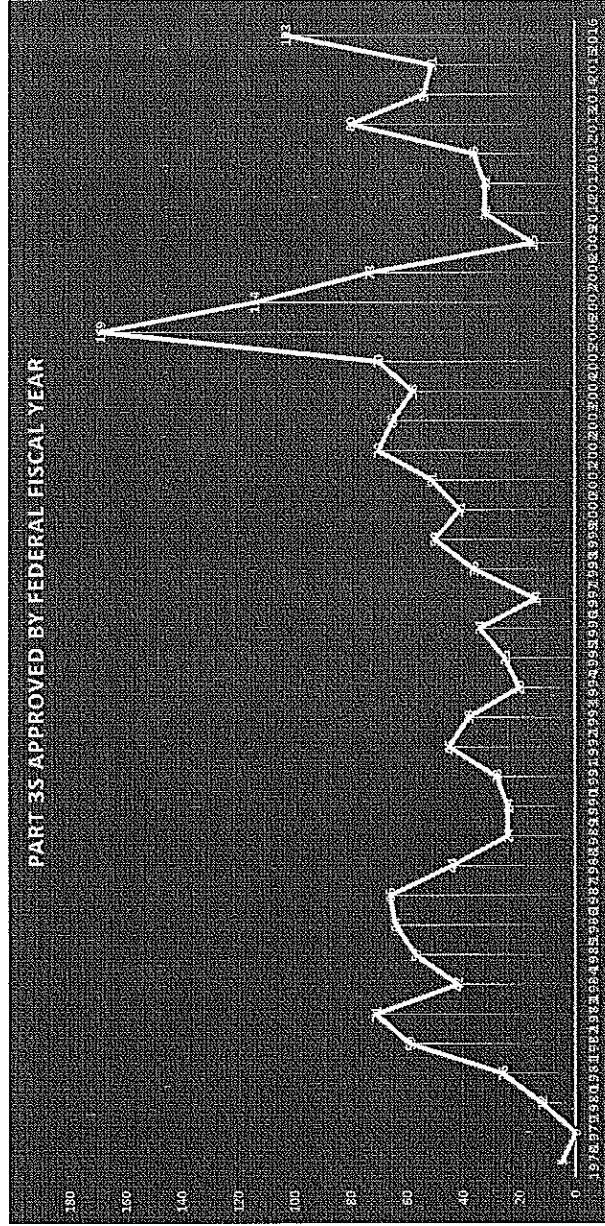
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Federal Fiscal Year	Part 3s approved	Total Investment in app Part 3s
1978	5	\$1,878,034
1979	0	\$0
1980	12	\$8,929,000
1981	26	\$4,236,997
1982	59	\$34,060,949
1983	71	\$33,905,471
1984	42	\$19,349,666
1985	57	\$25,990,538
1986	64	\$65,213,344
1987	66	\$78,075,364
1988	44	\$59,460,754
1989	24	\$21,165,284
1990	24	\$76,221,081
1991	28	\$18,507,972
1992	45	\$36,101,253
1993	38	\$162,738,026
1994	20	\$23,221,149
1995	25	\$57,274,306
1996	34	\$65,495,341
1997	14	\$35,790,926
1998	36	\$63,752,325
1999	50	\$73,742,123
2000	41	\$81,202,030
2001	51	\$97,554,810
2002	70	\$104,656,137
2003	65	\$254,105,588
2004	58	\$103,149,919
2005	70	\$175,082,000
2006	169	\$161,062,220
2007	114	\$63,547,494
2008	73	\$68,782,597
2009	15	\$109,600,171
2010	32	\$124,540,525
2011	32	\$305,304,647
2012	36	\$204,845,942
2013	80	\$158,954,366
2014	54	\$239,220,764
2015	51	\$510,082,278
2016	103	\$365,023,556
1998		\$4,091,824,967



**From:** Kalnow, Andrew H.  
**Sent:** Tuesday, October 31, 2017 11:57 AM  
**To:** William Reineke  
**CC:** 'reinhart@senecacounty.org'; 'David Zak'; 'John Kerschner (jmk3020@gmail.com)'  
**Subject:** FW: URGENT UPDATE on Historic Tax Credit  
**Attachments:** HTC Advocacy Toolkit - 10.25.17.pdf; Part\_3s\_by\_FFY Both graphs and summary.xlsx

Bill,

Do you know Senator Portman? If so, would you be willing to reach out to him?

Andrew

**From:** Amy Reinhart [mailto:reinhart@senecacounty.org]  
**Sent:** Tuesday, October 31, 2017 9:11 AM  
**To:** John Kerschner; Kalnow, Andrew H.; David Zak; Bill Reineke  
**Subject:** Fwd: URGENT UPDATE on Historic Tax Credit

Good morning,

There is great concern that the historic tax credits will not be included in the tax reform bill that goes out tomorrow, November 1st. Heritage Ohio has sent information about contacting Senator Portman and our congressmen to try to save the tax credits. All information is in the email and attachments.

Thank you,

Amy R. Reinhart  
Downtown Main Street Manager  
Seneca Industrial & Economic Development Corp.  
19 W. Market St., Suite C, Tiffin, OH 44883  
419.619.5517

----- Forwarded message -----

**From:** Frances Jo Hamilton <fhamilton@heritageohio.org>  
**Date:** Wed, Oct 25, 2017 at 10:25 AM  
**Subject:** Fwd: URGENT UPDATE on Historic Tax Credit  
**To:** Frances Jo Hamilton <fhamilton@heritageohio.org>  
**Cc:** Joyce Barrett <jbarrett@heritageohio.org>

**THIS IS IT- all time blow out ---as many people as we can get- please call your own congressperson AND Senator Portman.**

----- Forwarded message -----

From: **Renee Kuhlman** <[RKuhlman@savingplaces.org](mailto:RKuhlman@savingplaces.org)>

Date: Wed, Oct 25, 2017 at 8:05 AM

Subject: URGENT UPDATE on Historic Tax Credit

To:

Cc: Shaw Sprague <[SSprague@savingplaces.org](mailto:SSprague@savingplaces.org)>, NTCIC - Michael Phillips <[mphillips@ntcic.com](mailto:mphillips@ntcic.com)>

Dear preservation colleagues,

We have heard it is unlikely that the Historic Tax Credit will be included in Ways and Means Chairman Brady's tax reform bill expected out now on **November 1**.

Good efforts have been made by our colleagues with Ways and Means members in their states but it looks like the Chairman is holding firm in his plan to release a bill that mirrors the instructions laid out by the "Group of Six" two weeks ago to only include the Low-Income Housing Tax Credit and the R&D tax credit.

We've also learned that Chairman Brady aims to get the tax reform bill to the floor for a full House vote on **November 6, basically giving House members three days to amend**.

Moreover, last week's passage of a Senate budget created a path for the Senate to pass a tax reform bill with only a simple majority of 51 votes.

Urgent action is needed from the preservation community.

Below are actions I hope you and your organization will take immediately:

1. Write and call your legislators and ask that they keep the Historic Tax Credit as they reform our nation's tax code. Encourage board members and your community members to also Take Action and make their views known.
2. Ask city councils in your city and state to pass resolutions calling on Congress to keep this economic development tool in our toolbox and get media for your local leaders for doing so.
3. Invite district staff to tour your historic districts and deliver the national sign-on letter signed by hundreds of organizations along with the state map of projects.
4. Join a special November 2 webinar at 2:00 p.m. eastern with WDC-based lobbyists for reactions to the expected tax reform bill from Chairman Brady.
5. Gain media for the threat to the HTC that calls on your specific legislators to take action. Ask that they ensure the HTC remains in a reformed tax code by getting in either the House or the Senate tax reform bill.
6. Share this update with your members, boards, and colleagues including:

- Architects
- Bankers and lenders
- Business owners
- Chambers of Commerce
- Contractors
- Commercial Realtors
- Developers
- Historic Preservation Commissions
- Main Streets
- Mayors
- Property owners
- Historical societies
- Neighborhood associations
- Preservation groups
- State legislators and officials

Anyone who cares about reusing historic buildings to revitalize their community should be contacting Congress and urging them to ensure the HTC is in either the House or the Senate tax reform bill.

To help you and your organization take action:

- a. Attached is an **Advocacy Toolkit** that offers specific suggestions and resources to make taking action easier. Feel free to share and forward.
- b. Need to get caught up? Hear a refresher on the HTC from WDC lobbyists who spoke on the last webinar.
- c. Those legislators that signed on to co-sponsor the Historic Tax Credit Improvement Act should logically also want to retain the program. To

see if your legislator co-sponsored either the House bill or Senate bill, you can look them up here: <https://www.congress.gov//> But remember, the request to your Members of Congress is **to please include the HTC in the tax reform bills.**

I'll be on a conference call to answer any questions you may have today **(Wednesday, October 25) between 4:45-5:30 p.m. eastern** Phone: 1-877-273-4202; 258-328-114# about needed advocacy or you can be in touch via e-mail.

Time is of the essence. Thank you for acting quickly and speaking up for the Historic Tax Credit!

Best, Renee

Renee Kuhlman | DIRECTOR OF POLICY OUTREACH, GOVERNMENT RELATIONS & POLICY  
P 540.951.1661 or P 202.588.6234 c 540.273.7036

NATIONAL TRUST FOR HISTORIC PRESERVATION  
The Watergate Office Building

2600 Virginia Avenue NW Suite 1000 Washington, DC 20037

[www.savingplaces.org](http://www.savingplaces.org)



National Trust *for*  
Historic Preservation®  
*Save the past. Enrich the future.*

--

Frances Jo Hamilton

Director of Revitalization



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[heritageohio.org](http://heritageohio.org)

**Quarterly Revitalization Series/ Director's Roundtable Meeting**

- **June 14/15- Promotions**

Top 10 Favorites, Networking and Fundraising Events – **Piqua**

- **September 6/7 – Economic Vitality**

National Main Street Center Refresh – **Wooster**

- **October 16-18 – Conference Director's Roundtable - Columbus**

- **November 1/2 – Design**

Grown Up Places to Play, Secretary of Interiors Guidelines and National Register of Historic Places – **Lakewood**

Main Street NOW Conference | Pittsburgh, PA | May 1-3, 2017



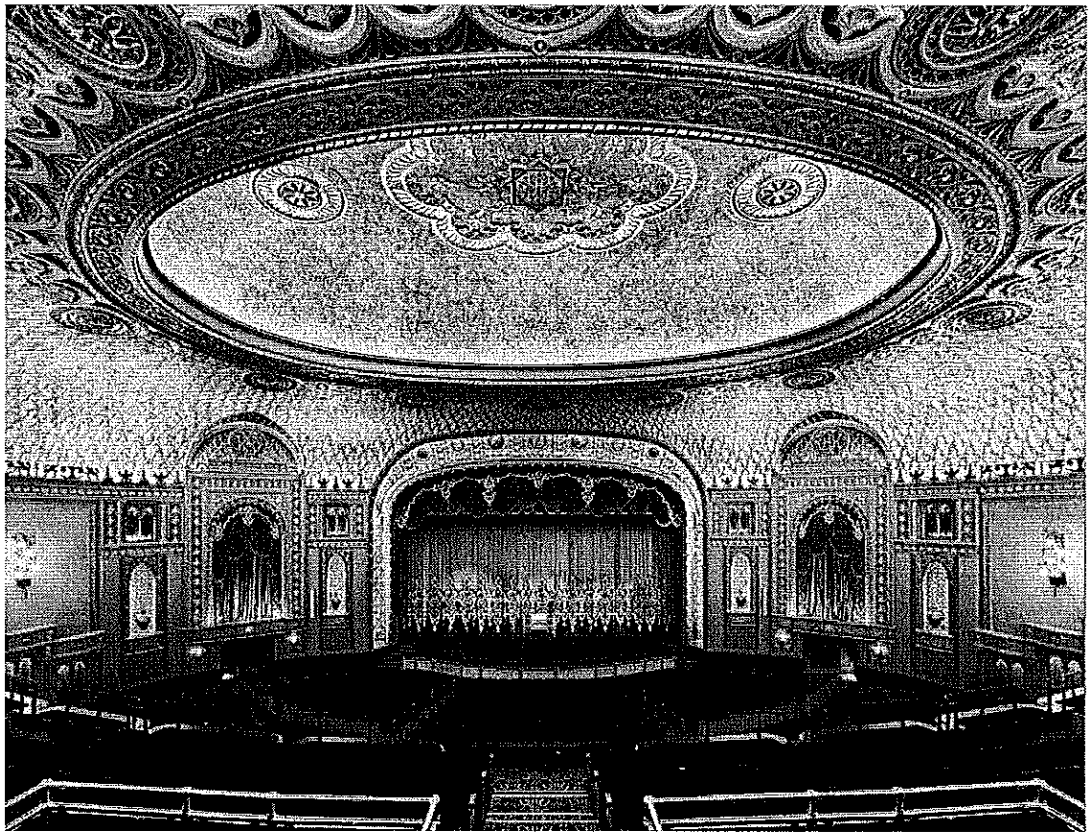
# Historic Tax Credit Advocacy Toolkit

A resource for advocating for the  
continuation of the Historic Tax  
Credit



**National Trust for  
Historic Preservation**

*Save the past. Enrich the future.*



*Courtesy of the Tennessee Theatre*

The Tennessee Theatre in Knoxville, Tenn., which originally opened in 1928, was restored with the help of the historic tax credit beginning in 2003.

Last Updated: 10/25/17

2600 Virginia Avenue, NN, Suite 1100 Washington, DC 20037

P 202.588.6234 C 540.273.7036 E [rkuhlman@savingplaces.org](mailto:rkuhlman@savingplaces.org) <http://forum.savingplaces.org/federal-htc>

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## **I. Introduction to the Threat to the Federal Historic Tax Credit**



Since it was permanently written into the tax code more than 30 years ago, the Historic Tax Credit has leveraged \$131 billion in private investment, created more than 2.4 million jobs and adapted 42,293 buildings for productive uses through 2016.

Despite its nationwide impact to enhance community revitalization and economic vitality, the federal HTC is threatened by the tax reform process. This toolkit is designed to serve as a resource for advocates to generate support among their legislators for the Historic Tax Credit.

**The tax reform blueprint suggests the tax reform bills in the House and Senate will not include the HTC. We need everyone's help to find a way to include the HTC in tax reform legislation.**

The continuation of the federal historic tax credit requires a nationwide effort over the next several weeks to raise awareness about the HTC's impact and to advocate for its protection in Congress.

**We urge you to use ALL the advocacy tools in this kit to help incorporate the HTC into a reformed tax code.**

Advocacy is additive so please make sure to involve all members of your community in this effort. From local business owners to bankers, to architects and commercial realtors, to historical societies to local officials—everyone who cares about the revitalization of their historic downtowns should be taking action.

**Time is of the essence.**

The Senate Finance Committee is drafting a tax reform bill NOW and the House bill is expected to drop its tax reform bill on November 1. Urgent advocacy is needed to ensure that the Historic Tax Credit is included in the House version of the bill.

## Five Immediate Steps to Protect the Federal Historic Tax Credit

To ensure the Historic Tax Credit (HTC) is in a version of a tax reform bill, do not leave any stone unturned. Advocacy from all fronts needs to be going into these offices immediately.

1. Write and call your legislators and ask that they keep the HTC as they reform our nation's tax code. Encourage other businesses and groups to also speak up asap.

- Use script on page #7 below; send e-alerts like draft on page #26
- Goal + 200 touches in these offices in next 14 days from groups such as:
- Architects
- Bankers and lenders
- Business owners
- Chambers of Commerce
- Contractors
- Commercial Realtors
- Developers
- Historic Preservation Commissions
- Main Streets
- Mayors
- Property owners
- Historical societies
- Neighborhood associations
- Preservation groups
- State legislators and officials

2. Ask campaign donors and other influencers to call, e-mail, and visit WDC and district offices. (script on page #7)

3. Request city council to pass resolution (draft below on page #8) and send to legislators' offices.

4. Invite district staff to tour HTC projects (instructions on page #11). Also, request an in-district meeting to share national sign on letter, other local letters and HTC state map/list of projects.

5. Get media for HTC and send to legislators' offices. #HistoricTaxCredit

## II. Talking Points

### Prosperity through Preservation

*Protect and Enhance the Historic Tax Credit*

- The Historic Tax Credit (HTC) **encourages private investment** in the rehabilitation of historic buildings. The credit attracts private capital—\$131 billion since inception—to revitalize often abandoned and underperforming properties that have a financing gap between what banks will lend and the total development cost of the transaction.
- The credit in turn generates new economic activity by leveraging private dollars to preserve historic buildings and create jobs; through 2016, the rehabilitation of 42,293 historic buildings has **created more than 2.4 million jobs**. The HTC can be adapted to provide targeted and timely economic help to areas with special needs. For example, the HTC was temporarily increased to 26% to help rebuild New Orleans after Hurricane Katrina through the GO-ZONE Act of 2005.
- The HTC **benefits local communities**, especially our nation's urban core and rural areas. Over 40% of projects financed in the last fifteen years are located in communities with populations of less than 25,000.
- In addition to revitalizing communities and spurring economic growth, the HTC **returns more to the Treasury than it costs**. In fact, Treasury receives \$1.20-1.25 in tax revenue for every dollar invested. According to a study commissioned by the National Park Service, since inception, \$25.2 billion in federal tax credits have generated more than \$29.8 billion in federal tax revenue from historic rehabilitation projects
- **Tax reform aimed at growing the economy should enhance, not diminish the HTC.** Historic rehabilitation projects frequently have higher costs, greater design challenges, and weaker market locations—all of which results in lender and investor bias against investments in rehabilitation. The Historic Tax Credit Improvement Act enjoys solid bipartisan support and would enhance the HTC by directing more investment to small business transactions along older Main Street corridors. Specifically, the bill creates a 30% credit for small deals to make these transactions more attractive to outside investors who tend to favor much larger investment opportunities. In addition, the bill allows the historic tax credits in these small transactions to be transferred with lower transaction costs, as a tax certificate, making it easier for small business owners to bring outside investment into smaller transactions.

### **Background:**

- The HTC was initially enacted in 1978 and made permanent in the tax code in 1986.
- Thirty-five states across the country, including Louisiana, Wisconsin, Texas, Ohio, Missouri, North Carolina, and Virginia, recognize the economic development potential of historic rehabilitation and have enacted individual state Historic Tax Credit programs that work in tandem with the federal program.
- As an economic activity, historic rehabilitation greatly outperforms new construction in job creation. Rehabilitation project costs are on average 60 percent labor and 40 percent materials compared to new construction, which is about 40 percent labor and 60 percent materials. In addition to hiring local labor, historic rehabilitation materials are more likely to be purchased locally. As a result, approximately 75 percent of the economic benefits of these projects remain in the communities where these buildings are located.
- The HTC is administered by the National Park Service and the Internal Revenue Service in conjunction with the State Historic Preservation Offices. It is comprised of two distinct and separate tax credits used to rehabilitate historic buildings including vacant schools, warehouses, factories, retail stores, apartments, hotels and office buildings throughout the country:
  - The 20 percent credit. The 20 percent credit applies only to certified historic structures. A certified historic building is one that is listed individually on the National Register of Historic Places, or contributes to the character of a National Register-listed Historic District. The 20 percent credit is available for any income producing property, including residential rental projects.
  - The 10 percent credit. The 10 percent credit is for the rehabilitation of non-historic, non-residential buildings built before 1936.

### **The Request to legislators:**

**“Please indicate your support for the Historic Tax Credit to the House Ways and Means Chairman Brady, the Senate Finance Committee Chair Orrin Hatch and others on the committee. Request that they keep the Historic Tax Credit that allows redevelopment of our most challenging but historically significant buildings.”**

### III. Hill Advocacy Resources

#### Script for Calling and E-mailing

- **Legislators need to know that their constituents support inclusion of the Historic Tax Credit in the House and Senate tax reform bill. Below is a script you can use to when calling the Washington office as well as the district offices of both senators and your representative.**

- Step #1 Call the United States Capitol switchboard at (202) 224-3121. A switchboard operator will connect you directly with the House or Senate office you request. Ask to speak to the staff member handling tax and use the script below to guide your conversation. If you can't speak directly to the staff member, leave the message below and ask for a return phone call.
- Step #2 Then call the other legislators that represent you from your state.
- Step #3 Then look up the district offices and call the ones closest to you. Ask to speak to the District Director and use the same script as below.
- Step #4 Finally, send an e-mail using a variation (so they don't disregard your e-mail) of the Subject line: Historic Tax Credit-Tax Reform. Explain that you had called and ask that they communicate your concerns to your representative and two senators.

#### SCRIPT

1. Introduce yourself
2. Say "I have been hearing about tax reform and I wanted to check in to see how the HTC is fairing. I am extremely concerned that is was not specifically mentioned in the tax reform framework.
3. Explain why you value Historic Tax Credits, and that the redevelopment of historic buildings will not get done without the HTC.
4. Talk about recent projects and future projects that won't happen without the HTC
5. Ask.... "As Congress moves forward on tax reform, please ask the Member to be vocal in their support to the Senate Finance Committee Chair, Orrin Hatch, Chairman Brady of the House Ways and Means Committee and others on the committees -- to keep this important incentive that allows redevelopment of our most challenging but historically significant buildings."
6. Invite them to tour a Historic Tax Credit project – or to see historic buildings that won't get rehabbed if HTC goes away.
7. End the call with a request for a response – something like "Would you please let me know your boss' position on the Historic Tax Credit after you've had a chance to present this information I've shared?"

## Sample Local Resolution Draft Language

- **Adopting a resolution calling on legislators to include the Historic Tax Credit in their tax reform bill is a great way to get the attention of local elected officials but also of local media. Share news of the passage in social media as well as with local reporters. Share the resolution with the legislators' offices and ask that they include the HTC in the tax reform bill.**

### **A RESOLUTION TO URGE THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO CONTINUE THE FEDERAL HISTORIC TAX CREDIT PROGRAM, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the federal Historic Tax Credit program (HTC) as we know it today was put in place by Congress and the Reagan Administration to attract capital to historic rehabilitation projects that help stimulate local economies; and

WHEREAS, since the inception of the HTC, it has created over 2.4 million jobs, rehabilitated more than 42,293 buildings, and leveraged \$131 billion in private investment; and

WHEREAS, recognizing the importance of this successful federal economic development program, more than 35 states have enacted complementary state historic tax credit programs to help revitalize the commercial downtowns of their cities and Main Street communities; and

WHEREAS, federal HTC projects have a 99 percent success rate, leverage four private dollars for every dollar of federal support, and are catalytic, building neighborhood confidence and generating follow-on projects for blocks around; and

WHEREAS, over the life of this program, the HTC has generated \$29.8 billion in federal tax revenues compared to \$25.2 billion in credits allocated—more than paying for itself; and

WHEREAS, the federal HTC program [ADD INFORMATION ABOUT LOCAL IMPACT];

NOW THEREFORE BE IT RESOLVED by the [GOVERNING BODY] of the [JURISDICTION] in due regular and legal session convened, that the [GOVERNING BODY] supports the federal Historic Tax Credit program and urges the President of the United States and the United States Congress to continue the federal Historic Tax Credit program.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.



## Sample Sign-On Letter #1

- **Sending your legislators a “group sign on letter” is a great way to show depth of support for the HTC as well as breadth. For example, some “sign-on” letters are being sent by groups of mayors and Main Streets, while others are being sent by organizations and businesses within one community. Deliver to the district office (in person if possible) and e-mail and mail hard copy to the Washington, DC office. Ideally, we hope to get 200+ emails and letters into the offices by Nov. 1. Start with a few confirmed signers at the bottom before sharing widely so that others quickly grasp what you are asking of them. Because this is urgent get as many signers as you can but don’t hold off sending. In other words, “don’t let the perfect be the enemy of the good.”**

The Honorable Richard Burr  
520 Hart Senate Office Building  
United States Senate  
Washington, DC 20510

The Honorable George Holding  
1110 Longworth House Office Building  
United States House of Representatives  
Washington, DC 20515

The Honorable Thom Tillis  
185 Dirksen Senate Office Building  
United States Senate  
Washington, DC 20510

November XX, 2017

Dear Senator Burr, Senator Tillis and Rep. Holding:

**In light of Congress’ strong interest in reforming our nation’s tax code, we would like to convey our strong support for the federal historic tax credit (HTC) which has helped preserve and revitalize our community.**

The HTC is the cornerstone of a long-standing and successful national policy of promoting the reuse of historic buildings to catalyze economic development and create jobs. Between 2002 and 2016, the HTC helped finance the rehabilitation of 653 commercial properties in North Carolina, leveraging more than \$1 billion in total investment.

Weakening or eliminating the federal credit, as has been proposed by some in Washington, would endanger the economic feasibility of nearly all historic rehabilitation projects in North Carolina. If Congress repeals or diminishes the HTC, communities across our state will lose an important tool to counter market forces that direct investment away from our main streets and downtown areas due to the higher cost of rehabilitating historic buildings.

Research conducted for the National Park Service by Rutgers University’s Center for Urban Policy Research shows that since the historic tax credit was enacted in 1981, it has leveraged \$131 billion in investment in historic rehabilitation across the nation. It has also created 2.4 million jobs and rehabilitated over 42,293 historic buildings. For every dollar of public expenditure, investors contribute four dollars toward the rehabilitation of historic properties. Since the credits are not approved until the building is placed in service, many of the economic benefits from construction jobs, materials purchased and payroll taxes are generated before the tax credit is awarded.

The HTC is an efficient and effective use of taxpayer dollars. Over the 36 years this incentive has been in place, the federal government has allocated about \$23.1 billion in tax credits. According to the same Rutgers study, these credits, in turn, have generated \$28.1 billion in federal income taxes. So under the dynamic scoring, the Treasury would lose revenue by eliminating the HTC. Recognizing these valuable economic benefits, North Carolina invests in its own Historic Tax Credit. The state's credit amplifies the benefits of the federal credit, attracting more in-state and out-of-state investment.

Recently initiated and completed projects in North Carolina tell a great story. Significant and diverse examples in the state include:

- the White Furniture complex in Mebane has been transformed into 152 market rate apartments;
- Tompkins Hall in Charlotte, a former textile mill built in 1890s, is being renovated for office, retail and restaurant use;
- the Loray Mill complex in Gastonia is being repurposed for residential and shopping uses;
- an 1885 former drugstore in the Goldsboro Historic District, now a restaurant with two market-rate apartments upstairs; and
- in the Wilson Central Business District, the Watson Livery Stable was repurposed for a new brewery and taproom (217 Brew Works) in 2016.

Although large mill complexes in Winston-Salem, like the RJ Reynolds Tobacco Company Factories #90 and #91 (\$220M invested), the RJ Reynolds Tobacco Company Factories #60 and Bailey Power Plant (underway \$128.5M investment), the R.J. Reynolds Tobacco Company Factory #64 (\$43M invested), the P.H. Hanes Knitting Company (\$41M invested), the Reynolds Building (\$37M invested), and Chatham Manufacturing (\$31M invested) have successfully been repurposed using historic tax credits, smaller buildings in communities like **Rocky Mount**, **Garner** and **Dunn** have seen their downtowns improved with the Historic Tax Credits.

In Dunn, a five-building education complex built for the county's African American students between 1922-1956 was recently rehabilitated through a creative public-private partnership as affordable housing with community recreational, educational, and social spaces. The historic tax credit leveraged the private rehabilitation cost of \$7.87 million and helped repurpose the complex into 37 apartments as well as a new home for the Dunn Police Athletic League and the Central Carolina Community College, which leases space for its culinary arts training program.

The historic tax credit has created a chance to preserve North Carolina's history while fitting the needs of communities from Wilson to Wilmington and Edenton to Charlotte.

Eliminating the federal historic tax credit would consign historic rehabilitation projects across the state to uncertain futures and would harm the North Carolina credit by vastly diminishing the effectiveness of our state's investments. As Congress works to reform our nation's tax code, we ask that you protect and enhance this federal incentive that uses the historic assets of the past to meet the needs of North Carolina's 21<sup>st</sup> century economy.

Sincerely,

Mayor Smith, City of Bluefield  
Mayor T. Price, City of Richfield

***NOTE: You don't have to ask for and add copies of signatures – just list those individuals and their organizations as they want to be listed. As others sign onto the letter, share recent .pdf of letter with multiple signers and re-circulate. Others are more likely to add their name to the letter if they see multiple signers.***

## Sample Sign-On Letter #2

November XX, 2017

Senator Mitch McConnell  
Senator Rand Paul  
Representative James Comer  
Representative Brett Guthrie  
Representative John Yarmuth  
Representative Thomas Massie  
Representative Harold "Hal" Rogers  
Representative Garland "Andy" Barr

Dear Kentucky Congressional Delegation:

As Main Street community leaders and advocates for preservation in Kentucky, we wish to **convey our strong support for retaining the federal Historic Tax Credit during tax reform.**

Since its inception in 1978, this proven tool creates local jobs, generates tourism and preserves Kentucky's historic properties. Please let your colleagues on the tax writing committees know about your support of the federal historic tax credit (HTC).

As President Ronald Reagan said when he addressed a national Town Hall meeting of almost 2000 Main Street communities, *"Our historic tax credits have made preservation of our older buildings not only a matter of respect for beauty and history, but of course for economic good sense."* Since then we have witnessed first-hand the positive impact it has had on our local economies.

In Kentucky, the tax credit has helped finance 345 commercial rehabilitation projects between 2002 and 2016 resulting in more than \$500 million in development investment and more than 9,000 construction jobs. Last year alone, the Historic Tax Credit helped to generate over \$70.5 million dollars in construction dollars invested in our state's historic buildings. These rehabilitated buildings are generating new jobs, housing, and tourism for the state and are sparking rejuvenation of our historic commercial districts from Covington to Campton and from Paint Link to Paducah.

Rutgers University found that the rehabilitation and repurposing of the 42,293 historic buildings generated over \$131 billion in total economic activity and 2.4 million jobs – 109,000 in 2016 alone. Rutgers also found that in addition to leveraging significant private funding, the Historic Tax Credit earns a net positive return in federal revenue. Since 1978, the \$25.2 billion in credits allocated have returned an estimated \$29.8 billion in federal tax revenue.

The Historic Tax Credit helps us create more jobs and stimulate additional investment in our Main Street communities, while protecting important historic resources.

For the benefit of Kentucky's small towns and historic commercial districts, we ask that you **protect the Historic Tax Credit in tax reform.**

Sincerely,

Main Street ABC  
Main Street XYZ  
Main Street Richfield  
Owner, Graham Florist

## Arranging a Site Visit for District Staff

Visiting a historic tax credit project provides district staff with a unique opportunity to see first-hand how the federal government is leveraging significant private investment through the reuse of our historic buildings. They also learn how many jobs are created during the construction phase, how the new use will spur broader economic activity in the surrounding neighborhood, and how the historic character of the building is preserved. District staff can then relay your interest and what they learned to the Washington, DC staff and the Member themselves.

- Decide which historic tax credit project in your area offers the greatest opportunity to highlight the benefits of the program. Offering a tour either during construction or after a property is placed in service are great ways to highlight different aspects about the value of the program.
- Try to involve multiple partners such as developers, architects, contractors, preservation & Main Street groups as they may have connections to the legislators' offices. Also, involving a variety of partners will also help you respond to a broader array of questions.
- Be prepared to be flexible on dates in order to secure a commitment.
- Call the office and ask to speak to the Director about a request to meeting. Follow up with a compelling written invitation that you send electronically. District staff members are more likely to accept an invitation if there are more constituent groups making the request. Be sure to coordinate with the team.
- If you do not receive a reply from a Congressional office after two days, follow-up by calling the office. Develop a rapport with the scheduler by being patient and persistent.
- Before the visit, meet with your team and decide who will tell which part of the tax credit story. For example, who will describe details about financing of the project, impact on the neighborhood, and historic significance of the building?
- Share the list of HTC projects and map to show how the HTC is used statewide – in large cities and small towns. A one-page document that describes the history of the building(s) and its contribution to the community can be helpful as well.
- During the visit, ask that the legislator **include the historic tax credit in the tax reform bill.**
- During the visit, questions may be asked to which you do not have an answer. It is entirely appropriate to simply state you do not have that information, but that you would be happy to follow up with the answer as soon as possible.
- In addition to the very important thank you letter, follow up with additional materials you think would be helpful and with any information specifically requested.

## IV. Additional Online Resources

- **How do I find my federal legislators?** <https://www.govtrack.us/>
- **Where can I find maps of HTC projects in my state or district?**
  - State maps - <http://forum.savingplaces.org/viewdocument/historic-tax-credit>
  - District maps
- **Where can I download national sign-on letter?**
  - National Sign on Letter
- **How can I learn more?**
  - Listen to last webinar.
  - Register for Nov. 2<sup>nd</sup> at 2:00 p.m. webinar.
- **Where can I access HTC reports and case studies?**
  - The Annual Report on the Economic Impact of the Federal Historic Tax Credit for FY 2016, prepared by researchers at the Edward J. Bloustein School of Planning and Public Policy at Rutgers University, in collaboration with the National Park Service, describes the HTC's economic impacts.
  - The Catalyst for Change report was produced as part of the Prosperity through Preservation campaign to project and enhance the federal HTC. The National Trust and its subsidiary, the National Trust Community Investment Corporation, retained economist Donovan Rypkema in 2014 to complete a study that quantifies the ways in which the historic tax credits serve as catalysts for economic development.
  - Reports for specific states:
    - Texas, 2016
    - Montana, 2016
    - Wisconsin, 2015
    - Ohio, 2014
- **Where can I learn who co-sponsored the Historic Tax Credit Improvement Act?**
  - The HTCIA was a great way to generate awareness and support of the Historic Tax Credit. Those members who co-sponsored the bill should NOW be asked to speak out on behalf of the credit so it is not lost during tax reform.
    - House bill (H.R. 1158) text and co-sponsors
    - Senate bill (S. 425) text and co-sponsors
    - One-pager summary
- **What is a one-stop-shop to find materials on the HTC (maps, webinars, blog posts, updates, etc.)?**
  - Federal HTC:  
<http://forum.savingplaces.org/learn/fundamentals/economics/tax-credits/federal-htc>
  - State HTC:  
<http://forum.savingplaces.org/learn/fundamentals/economics/tax-credits/state-htc>

## **II. Historic Tax Credit in the News**

### **Working with Local Media**

Share HTC success stories through a news story, letter to the editor, contributed column or radio or TV broadcast news interview brings the impact of the historic tax credit to life.

Through stories in local newspapers, blogs and broadcast media, you can educate the broader community on how these projects are contributing to the local economy, Main Street revitalization, cultural identity and community well-being.

Examples of stories that may be of interest include a retrospective on HTC projects, an interview with a local developer, historic buildings that were saved in part by using the HTC, etc.

### **Media Relations: General Tips for Pitching Reporters**

The following are tips on pitching a story or event to a reporter. Some of these tips are also relevant to establishing and maintaining a solid working relationship with reporters. Initiating contact with relevant reporters before, during, and after coverage will help affirm a relationship which may prove helpful when you seek to pitch a story to score media coverage.

- **Do Your Research**

Learn as much as you can about the reporter's interests before you pitch them on a story idea. Follow them on Twitter, read their recent stories and blogs and create a Google news alert with their name to keep up with their writing. Leave a comment on a relevant story, retweet it and/or email them with a comment or question when appropriate to begin cultivation of the relationship. This will help you both get to know each other.

- **Grab Their Attention**

Get to the point, and then work the details. If you are cold calling a reporter with whom you do not already have a relationship, or even if you have worked with the reporter before, it is important to get their attention quickly. You should know why the reporter might cover your story. You should be able to quickly and interestingly explain the story or event.

- **Practice Your Pitch**

Prepare your story by practicing the pitch on a co-worker to be sure your story and approach is interesting. Write down important details and outline how you plan to pitch the story.

- **Listen First**

When you call a reporter, be sure they are not on deadline. If so, the reporter may wish to speak to you at a better time. Inquire as to a better time to call and call back at that time. If you've sent an introductory email or already left a voicemail, don't assume they've already seen/heard it. Also, don't ask them if they have. Start fresh, at the beginning.

- **Be Specific**

When you talk to the reporter, be prepared with supporting facts including sources, names, and details. You need to be organized in case the reporter wants to follow up on any stories or facts you present. Be specific about your story.

- **Know the Issue**

The reporter you work with may be very knowledgeable on the details surrounding your story. You should have a clear message and story as well as in-depth knowledge on the issues.

- **Relevance**

Connect your story with a relevant current event. Maybe there is a related bill in Congress or a new study or local issue that makes sense to reference.

- **Facts**

If you do not know the answer to a reporter's inquiry, suggest that you call them back when you have the information. Do not make up facts as they may appear on tomorrow's front page.

- **Additional Materials**

Be prepared to offer additional materials such as pictures, background information and sources which they may need to complete a story.

- **Keep Record**

Record what stories you pitch and to whom. This will provide you with a log of reporter interests and requirements that may aid in working with the reporter in the future.

- **Retry, Re-pitch**

Do not harass a reporter. However, you should consider different angles which strike different interests if one method is not working. If you come up with a new angle or development, feel free to pitch the story to the reporter again. Also, feel comfortable to ask for feedback if they aren't interested; it may help generate another hook.

- **Be a Resource**

Even if you don't have a particular story idea to pitch to your media contacts, if a story about a historic building that could be used for commercial use makes the news (demolition threat, ground breaking, ribbon-cutting, funding vote, etc.), reach out and offer to be a resource on the HTC.

## **Media Relations: Making Contact**

### **Print:**

Newspaper deadlines vary according to individual newspapers, but a reporter typically hits deadline around 2 pm for morning newspapers. Most print reporters, due to daily deadlines, are only free for phone conversations a few hours during the early part of the day. Email is a great way to communicate with a reporter. (see next page for **Sample News Story**)

DO NOT call print reporters after 4 pm as they are usually filing their stories at that point.

### **Television:**

Television stations operate primarily off media alerts, a brief one-page outline invites the media to attend an event, and press releases, an announcement written like a news story to describe compelling news your organization is making, since these are tools that allow them to look quickly at information. The correct person to send these to and to call to pitch the story will be the assignment editor or manager or the planning editor or manager.

It is always a good idea to fax or email the media alert a day or two before your event and again the morning of the event. If you email it, be sure to copy and paste into the body of the email to ensure it is delivered—emails with attachments can trigger spam filters. Call and ask for the assignment desk, which will confirm receipt of your press materials.

Television needs a visual opportunity to make a story happen. When contacting an assignment editor, be sure to include the visual elements of your story—the photo opportunities. If you already have video it is even easier to gain television coverage. Video footage that is not packaged into a complete news story is called B-roll. Having this sort of footage available gives you an advantage when you are pitching a television story, but it is sometimes expensive to create and may not help if the story is not one that has the right news hook. However, having good B-roll can often make the difference to a decision about coverage.

Television newsrooms tend to be even more pressed for time than print publications. You may have to speak to more than one assignment editor or forward your materials several different times and to several different people.

### **Radio:**

Familiarize yourself with the station's audience and informational needs. If you are contacting a news radio station, research their different programs and determine which one would be a good match with your story. Organizations like National Public Radio like to have stories with a rich variety of sound. Think about what kind of audio your story can include, and who can be a dynamic spokesperson for your story. Offer these elements in your pitch to the producer or reporter.

### **Blogs:**

Blogs are niche by nature, meaning they focus on a specific topic and can help get a message out to your target audience. Reaching out to bloggers is smart because there is the potential that they will take interest in your cause and write about it every day. They might also link to your Web site and/or the National Trust's site.



You can search for blogs covering your geographic area/area of interest on **Technorati** [www.technorati.com](http://www.technorati.com), **Google** <http://blogsearch.google.com> and **Blogflux** [www.blogflux.com](http://www.blogflux.com), in addition to many other places.

To approach bloggers, look for an email address on their page. The email might be under their profile link, a "contact us button" or on the side bar. If you can't find an email, leave a post that expresses your interest in contacting the blogger. Also look for them on Twitter and Facebook. Bloggers are vigilant by nature, and will usually respond to you as soon as they can.

### **III. Storytelling Outlets and Tools**

#### **Sample News Story**

##### **LANDMARKS LEADER WORRIED ABOUT LOSS OF TAX CREDITS FOR RESTORED BUILDINGS**

**Kokomo Tribune 4/24/17**

INDIANAPOLIS -- A former furniture factory near the Indianapolis Zoo may not have been turned into 124 loft apartments if not for a federal tax credit for the rehabilitation of historic buildings.

The same might be said for more than 160 buildings throughout Indiana that have been restored through the federal Historic Tax Credit program since 2002.

The credits for rehabs of historic landmarks range from the \$2.2 million for The Ohio Building in Terre Haute to the \$29,874 in credits for the Kreuzberger House in Logansport. They include \$295,936 for Schimpff's Confectionary in Jeffersonville and \$1.8 million for the Lincoln Hotel in Goshen.

Now, the executive director of the Indiana Landmarks preservation group is worried that the tax credit could be eliminated if Congress begins a sweeping tax reform.

"What it will clearly do is take historic preservation out of the game of being a major force for economic revitalization," said Marsh Davis, president of Indiana Landmarks, the statewide preservation group.

He fears that some folks in Congress believe that eliminating HTC would lead to lower taxes.

"Without the HTC, so many of the rehabilitation projects that have transformed cities and towns across America would not have been possible," Davis said.

There has been no official word about a possible funding cut as the House Ways and Means committee begins to meet in May.

In Indiana, the Historic Tax Credit program has brought back to life such structures as the West Baden Springs Hotel, the Kokomo YMCA and the Charley Creek Inn in Wabash. Perhaps best known on the list is the remodeling of Hinkle Fieldhouse at Butler University, which received \$42.2 million in qualified tax credits.

Although among a myriad of grants and funding programs available to redevelopers, the HTC has since 1976 led to the rehab of more than 41,000 historic places across America. In turn, that has created 2.3 million jobs and leveraged more than \$78 billion in private investments, according to the National Park Service, which administers the program along with the Internal Revenue Service.

The main element of the program provides a 20 percent credit for the rehabilitation of income-producing projects such as converting into loft apartments or improving Hinkle for revenue-producing activities. The credit can be applied to the individual's or the corporation's federal tax liability, essentially for rehab work of a permanent nature such as replacing windows, installing a mechanical system or other labor and materials.

Past analyses found that about two-thirds of all projects nationally were in neighborhoods at or below 80 percent of area median family income.

In Wabash, a former apartment building was renovated into the boutique-style Charley Creek Inn by philanthropist Richard E. Ford. In Indianapolis, the charter Herron High School is converting a former Naval academy on the city's west side into a campus. The downtown Indianapolis eight-story Harrison Hotel is being renovated by the Indiana Association of Realtors for office space.

All three projects were restored through RATIO Architects in Indianapolis; all used the historic tax credit.

"If the credit were eliminated all together, I think it would have a very negative impact on the rehabilitation of historic buildings," said David Kroll, principal and director of preservation at RATIO Architects.

"The credit was originally created to level the playing field as far as expenditures since sometimes it could be more expensive to rehabilitate a current building than construct a new one and the credit was created to help offset that. So if you no longer have any credits available for some of these projects, these buildings may just continue to sit or maybe demolished," he said.

Near the Indianapolis Zoo, the Harding Street Lofts are a complex of four buildings constructed in the late 1800s. German furniture maker Henry Lauter opened his shop there and it operated until the Great Depression. In 1937, the site was sold to a grocery warehouse operator and a paper recycling firm. Both had left by 2010.

In 2011, Core Redevelopment -- whose website motto advertises "We transform history into your next home" -- purchased the U-shaped complex and converted it into 124 units. The size of the project required historic tax credits, said Eric Seal of Core Redevelopment.

"At 125 units it was a fairly large project so the historic tax credit provided a gap where, if we didn't have it, the building would have been done differently and not by us," Seal said.

Seal also works in other states where HTC and other rehab-related credits are offered.

If Congress takes the historic tax credit, those state credits would probably lapse, too," Seal said.

## **Sample request for an editorial board meeting**

- **A meeting with the local newspaper's editorial board is a terrific way to help get media coverage for the HTC. A sample e-mail is provided below.**

[Date]

**To:** [Insert Publication Name] Editorial Board

**From:** [Your name, title, and organization]

**Re:** Editorial Board Meeting Request on threat to the federal Historic Tax Credit

The next few weeks are critical to the fate of the federal Historic Tax Credit as Congress moves forward on efforts to reform the nation's tax code.

I would like to request an opportunity to meet with the editorial board to discuss the local and statewide impact of the federal historic tax credit. [Add name of developer, mayor, local business community leader] will join me to share with you the program's successful track record of historic preservation and economic revitalization in our community.

Please contact me as soon as possible to schedule a convenient time. I can be reached at [phone and email].

### **Background on the Federal Historic Tax Credit**

The HTC is the most significant federal investment in historic preservation, and the credit has returned dividends to the American taxpayer. Over the life of the program, the HTC has created more than 2.4 million jobs and adapted 42,293 historic buildings to new and economically productive uses. Moreover, this tax credit is an investment that generates revenue for the Department of Treasury. Since the program's inception in 1978, \$25.2 billion in credits have resulted in a return of \$29.8 billion in tax revenue directly linked to the rehabilitation of historic buildings. Roughly translated, this means that for every \$1.00 in credits allocated by the federal government, \$1.25 in new federal tax revenue is generated. Overall, the federal historic tax credit has generated \$131 billion in total development activity.

## Sample Op-Ed

**An op-ed is a column that is generally 600-800 words and should adhere to the guidelines of the specific website or newspaper in which it will be published. The purpose of an op-ed is to help educate and influence public opinion on an issue. Op-eds are published in one print publication exclusively in accordance with the media outlet's editorial policy and often have a call to action related to the issue.**

### **Protect the Federal Historic Tax Credit**

As Congress and the administration begin serious negotiations on comprehensive tax reform, it is vital they recognize the critical importance of capital investments in our nation's communities. In particular, the Federal Historic Preservation Tax Incentives Program is an incentive that should be strengthened, not diminished, by any tax proposal put forward by the Congress or the White House. *[Your opening should make the topic clear and grab the reader's attention].*

Commonly referred to as the Federal Historic Tax Credit (HTC), it was initially implemented in 1976 to encourage private investment in projects to rehabilitate historic buildings including vacant schools, warehouses, factories, retail stores, apartments, hotels, and office buildings throughout the country. The HTC provides a 20 percent credit for the rehabilitation of historical buildings and a 10 percent credit for non-historic buildings placed in service before 1936.

Through 2016, the HTC has resulted in the rehabilitation of more than 42,000 historic buildings and has created more than 2.4 million jobs nationwide. The rehabilitation and development of such valued national landmarks as The Humble Oil Building in Houston, Texas, the Mitchell Lewis Motor Company Building in Racine, Wisconsin, and the Tribune Building in Salt Lake City, Utah, were made possible through the use of the HTC. All of these projects have helped strengthen those communities both in terms of providing needed economic development and revitalizing valued historical buildings.

*[Add additional paragraphs that support your main point. Use clear, concise examples and anecdotes].*

In my home state of Oklahoma alone, from 2002–2016, more than 100 rehabilitation projects were performed via the HTC program, representing more than \$600 million in investment and creating more than 12,500 jobs for the state, according to figures provided by the National Park Service. Without the incentives created by this program, important historic rehabilitation projects would have never occurred due to higher costs, design challenges, and weaker market locations, which result in lenders and investors being unwilling to provide the capital investments necessary for their rehabilitation.

In addition to creating jobs, fostering economic growth, and revitalizing communities in need, the HTC actually returns more in revenue to the government than the tax credits themselves cost. In fact, the government receives \$1.20–\$1.25 in tax revenue for every dollar invested. According to a study commissioned by the National Park Service, 23.1 billion in federal tax credits have generated more than \$28.1 billion in federal tax revenue from historic rehabilitation projects. Even in the context of budgetary limitations, there is no economic justification for ending or weakening the HTC. ***[Including compelling numbers strengthens the column's impact]***

Some critics of the program will argue that the HTC is unnecessary, as the projects that are developed using the HTC would have been performed even without those tax incentives. As someone who has spent his own time and financial resources on such historic rehabilitation projects, I can assure you that the HTC is an essential financial component in determining where investment dollars are driven. There is no doubt that without the HTC, many restoration projects of older, historic buildings — from Maine to California — would not be economically feasible. Eliminating the HTC would only serve to slow the economic growth of many of America's communities.

Thankfully, there are leaders in Congress who understand the critical importance of the HTC. This year, the Historic Tax Credit Improvement Act was introduced. This bill would serve to strengthen the HTC by increasing the credit from 20 to 30 percent for projects with rehabilitation expenses of less than \$2.5 million, simplifying the application process for small developers and creating greater flexibility for non-profit organizations to partner with developers in redevelopment projects. Support for this legislation even crosses party lines. In the House, 38 Republicans and 35 Democrats signed on as cosponsors; in the Senate, 9 Democrats and 4 Republicans have signed on. In both chambers, many of the cosponsors sit on the tax-writing committees.

Eliminating the HTC will hamper the rehabilitation of our nation's historic buildings and slow the economic growth of many of our communities in need. This is why I hope that in reforming the nation's tax code, Congress and the administration will keep or even strengthen the HTC.

➤ ***[Conclude with your name, title, organization and any other pertinent identifying information]***

## Sample Letter to the Editor

- A letter to the editor is typically less than 200 words and is written in response to an article, editorial or news published in a newspaper or website. The letter should be written and submitted within days of the original article's publication. The purpose of the letter is not simply to praise or denounce an article, but instead to raise additional questions, make an expanded point or clarify part of the original article.

### Tax Credit Spur Development

The Baton Rouge Advocate

As the lead developer behind the upcoming redevelopment of the historic St. Rose de Lima Church and School in New Orleans, I share in the excitement around creating a new future for the campus on Bayou Road ("Southern Rep Theatre, Waldorf School to move to vacant Bayou Road church complex," Arts, Jan. 27). Our company has rehabilitated several historic properties in New Orleans and beyond, such as the Myrtle Banks Building in Central City, and we have seen the tremendous impact of bringing new uses to a landmark building while maintaining its historic character: namely generating jobs, addressing blight and vacancy, and creating new neighborhood amenities. ***[Highlight the impact of the HTC in the first paragraph]***

These projects typically require multiple private and public sector partners, and one of the key pieces in making the St. Rose redevelopment feasible is the federal historic tax credit, a program that for 30 years has provided developers with a tax credit in exchange for retaining a historic building's distinctive character. Examples from New Orleans range from the Saenger Theater to small apartment buildings. Particularly when coupled with the Louisiana state credit, the federal historic tax credit is a critical tool for covering the additional costs that come with the careful preservation and reuse of New Orleans' invaluable, but too often neglected, historic schools, theaters, religious buildings, office buildings and more.

New Orleans neighborhoods need robust federal and state historic tax credits to preserve more than their bricks and mortar; these programs are critical to advancing community and economic development. As our elected officials in Washington, D.C. debate tax reform, we should urge them to support the federal historic tax credit as a permanent part of the federal tax code.

***[Your name, title, and organization]***

## Sample Press Release

- The press release should be one to one and a half pages, include at least one quote from your organization's spokesperson and conclude with a boilerplate, which is a brief description of your organization and its mission. The purpose of a press release is to share timely news with media and the public and compel reporters to cover your story.

### New Research Shows Federal Historic Tax Credit Achieved a Record Increase in Use and Economic Impacts in 2016

***[Your contact name, phone and email]***

***[Date, city]:*** Recently released research shows that a federal tax incentive that is in danger of elimination as part of the Congressional tax reform process has a profound and positive impact on our nation's economy and quality of life while more than paying for itself. Produced by the National Park Service and Rutgers University, the **Annual Report on the Economic Impact of the Federal Historic Tax Credit for FY 2016** revealed that use of the federal historic tax credit (HTC) reached an all-time high in fiscal year 2016 (FY 16). Rehabilitation of 1,039 historic buildings was made possible by \$1.2 billion in tax credits, generating 109,000 jobs and \$1.7 billion in federal state and local taxes—which more than cover the cost of the program. FY 16's annual activity level is an increase of nearly one third (32 percent) over last fiscal year, representing the largest year-over-year increase since 1986. ***[The opening paragraph should present the most important part of your news and why it matters]***

"The federal HTC program has preserved and rehabilitated thousands of historic buildings while promoting economic revitalization in cities and towns across the country," said Merrill Hoopengardner, president of NTCIC, a subsidiary of the National Trust for Historic Preservation. "As this research shows, more than 40 percent of HTC projects over the last 15 years were located in communities with populations of less than 25,000, proving that this tool is vital to our Main Streets and rural areas too. At the end of the day, we are focused on creating positive, transformational, and lasting change in disinvested communities nationwide. The HTC is a unique and creative way to obtain those results." ***[Include quotes from leaders whose credibility adds impact to the announcement]***

The recent uptick in development can be attributed in large part to the real estate market shift that has occurred over the last 10 years, wherein many in the millennial and baby boomer generations want to live, work, and play in authentic downtown historic residential and commercial spaces. These market trends can be seen in nearly every major American city from New Orleans, Memphis and Mobile in the South, to Cleveland, Toledo and Detroit in the Midwest, and Dallas, Tulsa and Los Angeles in the West. Without the HTC, developers say they would not have the financing tools to meet this demand.

The report also found that, since its inception in 1978, the federal HTC has attracted \$131 billion in private investment to the rehabilitation of 42,293 historic buildings,

creating over 2.4 million jobs and serving as a net-revenue generator for the U.S. Treasury: the \$29.8 billion in federal taxes generated by HTC projects exceeds the \$25.2 billion in credits allocated.

This research demonstrates the significant and cost-effective economic benefit of reusing vacant hotels, schools, factories and other forgotten historic resources and affirms the need for the HTC. Developers repeatedly state that these rehabilitation projects simply would not be financially feasible without the incentive provided by the HTC. Lenders and investors typically favor new construction over riskier rehabilitation projects; historic rehabilitation projects frequently have higher costs, greater design challenges, and weaker market locations.

Despite the HTC's winning combination of results and cost-effectiveness, House Republican leaders have vowed sweeping reform of the tax code, and that no tax incentive is safe. The National Trust for Historic Preservation and NTCIC have joined with their industry partner, the Historic Tax Credit Coalition, and other national, state, and local preservation groups to help raise awareness of the importance of the HTC to America's economy and quality of life.

The full report text and more information about efforts to protect and enhance the HTC may be found at [www.savehistoriccredit.org](http://www.savehistoriccredit.org).

➤ ###

### **About NTCIC**

National Trust Community Investment Corporation (NTCIC) enables tax credit equity investments that support sustainable communities nationwide. NTCIC is a wholly owned for-profit subsidiary of the National Trust for Historic Preservation. [ntcic.com](http://ntcic.com) | [@ntcic](https://twitter.com/ntcic)

### **About the Historic Tax Credit Coalition**

The Historic Tax Credit Coalition (HTCC) is a national nonprofit organization comprised of a variety of stakeholders that recognize the importance of the federal Historic Tax Credit, including architects, developers, preservation consultants, syndicators, investors, lawyers and accountants. In addition to ensuring the future of the federal Historic Tax Credit, coalition members advocate for important improvements that would make the credit a more efficient and effective means of financing the rehabilitation of historic and older buildings. [Historiccredit.com](http://Historiccredit.com) | [@historiccredit](https://twitter.com/historiccredit)

➤ ###

The National Trust for Historic Preservation, a privately funded nonprofit organization, works to save America's historic places. [SavingPlaces.org](http://SavingPlaces.org) | [@savingplaces](https://twitter.com/savingplaces)



## Sample Press Statement

MEDIA CONTACT: ANDY GRABEL, 202.588.6025, AGRABEL@SAVINGPLACES.ORG

### **NATIONAL TRUST: NEW LEGISLATION WOULD INCREASE INVESTMENT IN HISTORIC MAIN STREETS AND PROPERTIES**

*Statement by Stephanie K. Meeks, president of the National Trust for Historic Preservation*

Washington (February 17, 2017) -- Sen. Susan Collins (R-ME), Sen. Ben Cardin (D-MD), Rep. Mike Kelly (R-PA) and Rep. Earl Blumenauer (D-OR) introduced the Historic Tax Credit Improvement Act (S. 425, H.R. 1158) yesterday. This new legislation would increase the number of historic buildings across the country that can benefit from historic tax credits and thus enable more rehabilitation projects. The following is a statement from Stephanie K. Meeks, president and CEO of the National Trust for Historic Preservation:

"The federal historic tax credit is the driving force behind rehabilitation projects that have given new life to historic buildings, created millions of jobs and attracted billions in private investment. We commend Sens. Collins and Cardin and Reps. Kelly and Blumenauer for their leadership in proposing sound improvements to the federal historic tax credit. Now, more libraries, theaters, town halls and other buildings can be restored to serve their communities in new ways. Tax reform aimed at growing the economy should enhance the historic tax credit."

#### **BACKGROUND ON THE HISTORIC TAX CREDIT IMPROVEMENT ACT of 2017**

The Historic Tax Credit Improvement Act of 2017 makes long overdue changes to the federal Historic Tax Credit to further encourage reuse and redevelopment in small, midsize and rural communities. Main Streets across America will have a stronger tool to help breathe new life into their historic buildings. The bill will increase the credit from 20 to 30 percent for projects with rehabilitation expenses of less than \$2.5 million, which will help inject new private investment into smaller and more rural communities. Other improvements include simplifying the process for the transfer of historic tax credits to investors for projects under \$2.5 million. The bill provisions would be the first major changes to the federal Historic Tax Credit since the 1986 tax bill.

###

## Sample E-Alert

### PROTECT THE HISTORIC TAX CREDIT!

#### Republican Tax Reform Framework Released—Historic Tax Credit Not Identified as Worth Keeping!

Dear recipient,

As anticipated, Republican leadership released a tax reform outline intended to guide House and Senate tax writing committees in their drafting of tax reform legislation.

The framework does not explicitly preserve the historic tax credit and envisions that most business tax credits will be repealed. The federal historic tax credit is the government's primary way of responding to the failure of the market to preserve historic income-producing buildings. Without a federal historic tax credit, the historic fabric of our urban centers, Main Street commercial districts, and small towns nationwide face a much greater risk of economic obsolescence or demolition. **If you care about the future of historic preservation, now is the time to act.**

**Urge your Congressional delegation to contact members of the House Ways and Means and Senate Finance Committees with the message that repealing the historic tax credit is bad policy.** The need for tax reform is clear, but it must not come at the expense of a program that more than pays for itself and has a proven track record of creating jobs, saving historic buildings, and revitalizing neighborhoods.

Now is the time to speak up for the historic tax credit. Join us in letting Washington know that historic preservation advocates need their voices heard. Our history is too important.

Thank you.

name

title, organization

## Sharing Your Story Online

Twitter and Facebook are the best social media for issue advocacy. Use them to post:

- Links to HTC press articles and video
- Photos of HTC advocacy meetings with lawmakers
- HTC ribbon cuttings and site tours
- "Before" and "after" photos of HTC projects

The search engine to find HTC is **#HistoricTaxCredit**. Don't forget to add this hashtag to all your posts so that they will be easily accessible.

## National Trust Channels

### About our online resources

There are several National Trust channels to consider for spreading the word about historic tax credit projects in your state. These include our organizational online resources, publications, e-newsletters and social media platforms.

The National Trust manages two blogs. Our **Preservation Leadership Forum** blog is geared toward helping professional preservationists stay on top of the latest research, tools, resources and trends. The other is the National Trust website [savingplaces.org](http://savingplaces.org), which features less-technical treatments of stories of people saving places that would appeal to a national audience.

The Trust is very active on social media, especially Facebook and Twitter.

### Types of content to submit

Our editorial team would be interested in:

- recent op-eds, editorials, letters to the editor or media stories that reference the HTC—or that didn't, but should have.
- upcoming ribbon cuttings or ground-breakings of HTC projects
- HTC projects that have helped transform a district or neighborhood
- iconic buildings that have been revived with the HTC
- particularly innovative or creative adaptive use projects, especially those that blend sustainability technology with historic preservation
- historic tax credit projects that have a strong community benefit component, and if possible, leads on individuals who have directly benefited
- compelling before and after photos of a HTC project
- events that relate to raising awareness of the HTC
- blogs from your statewide or local preservation organization

### How to submit content

To submit your story idea to be shared in National Trust print or online publications and social media channels, contact [editorial@savingplaces.org](mailto:editorial@savingplaces.org). To submit your story idea to Preservation Leadership Forum, email [forumonline@savingplaces.org](mailto:forumonline@savingplaces.org). In either case, please reach out to ask any questions that could help frame your story idea or research before submitting content.

## **IV. We're Here to Help**

### **National Trust Contacts**

National Trust for Historic Preservation  
2600 Virginia Avenue, NW, Suite 1100  
Washington, DC 20037  
P 202-588-6000

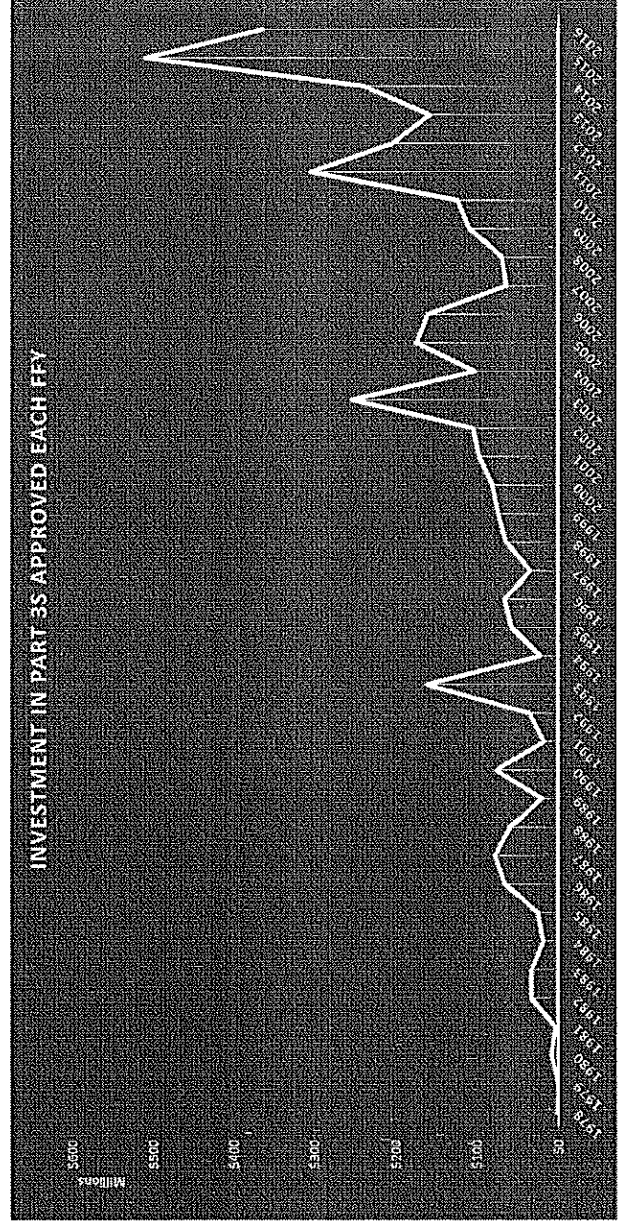
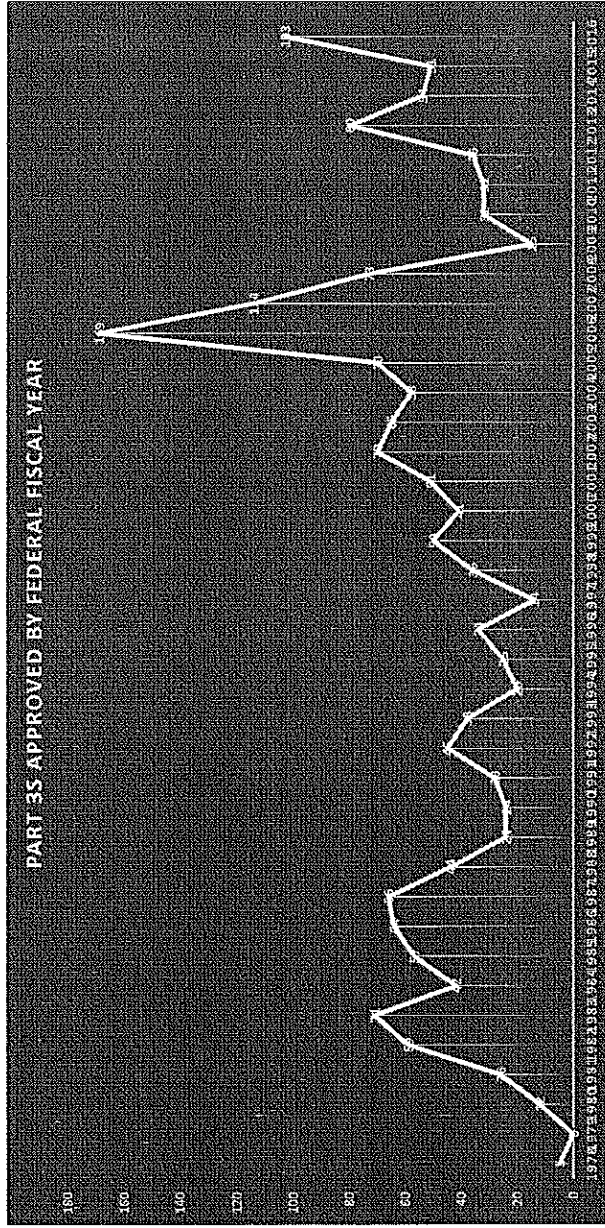
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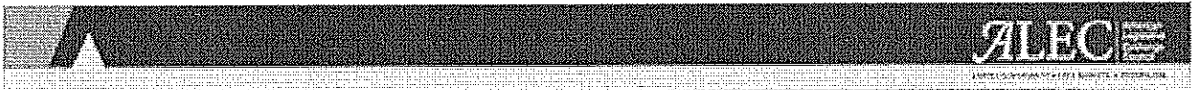
Shaw Sprague  
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Federal Fiscal Year	Part 3s approved	Total Investment in app Part 3s
1978	5	\$1,878,034
1979	0	\$0
1980	12	\$8,929,000
1981	26	\$4,236,997
1982	59	\$34,060,949
1983	71	\$33,905,471
1984	42	\$19,349,666
1985	57	\$25,990,538
1986	64	\$65,213,344
1987	66	\$78,075,364
1988	44	\$59,460,754
1989	24	\$21,165,284
1990	24	\$76,221,081
1991	28	\$18,507,972
1992	45	\$36,101,253
1993	38	\$162,738,026
1994	20	\$23,221,149
1995	25	\$57,274,306
1996	34	\$65,495,341
1997	14	\$35,790,926
1998	36	\$63,752,325
1999	50	\$73,742,123
2000	41	\$81,202,030
2001	51	\$97,554,810
2002	70	\$104,656,137
2003	65	\$254,105,588
2004	58	\$103,149,919
2005	70	\$175,082,000
2006	169	\$161,062,220
2007	114	\$63,547,494
2008	73	\$68,782,597
2009	15	\$109,600,171
2010	32	\$124,540,525
2011	32	\$305,304,647
2012	36	\$204,845,942
2013	80	\$158,954,386
2014	54	\$239,220,764
2015	51	\$510,082,278
2016	103	\$365,023,556
1898		\$4,091,824,967



**From:** American Legislative Exchange Council  
**Sent:** Tuesday, October 31, 2017 5:10 PM  
**To:** William Reineke  
**Subject:** The Center to Restore Balance of Power Update 10/31/2017

To view this email as a web page, go [here](#).



**Center to Restore the Balance of Power -  
October 31, 2017**

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Facebook



Twitter

### See You in Nashville in December



Federalism is one of the three ALEC guiding principles and will occupy center stage at the States and Nation Policy Summit in Nashville, Tennessee, December 6-8, 2017.

Twenty-seven states have submitted applications and only seven more are needed to compel Congress to call a Convention of the States. At the Meeting of the Task Force on Federalism and International Relations, leaders at the Phoenix Convention in September will offer their perspective of the most recent Convention of States and two model policies to address the 17th Amendment will be considered.

Early Bird Registration ends Thursday, November 9.  
We look forward to seeing you in Nashville.

[Register for SNPS](#)

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Expert Opinion

**We Can End the Era of Megafires**

Sen. Jennifer Fielder | State Senator of Montana



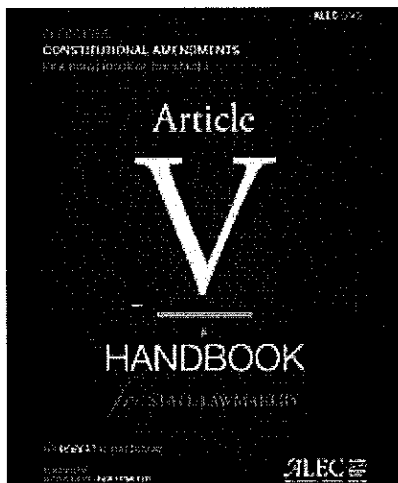
Montana Senator Jennifer Fielder, CEO of the American Lands Council, offers one solution to the worsening wildfire seasons in America's West. Senator Fielder observes that over 10,000 people each year are hospitalized due to wildfire smoke related heart and lung problems, and as many as 2,500 are dying prematurely. Billions of dollars of private and public property are being destroyed in Western wildfires annually. But still, federal employees and so-called environmentalists are attempting to "teach" us to simply accept this era of megafires -- an era that they themselves created.

[Read More](#)

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## Article V

### Article V in the News



ALEC Board of Scholars Member Professor Rob Natelson authored two articles to be highlighted this month. One is an analysis of John Dickinson's *1767 Letters from a Farmer in Pennsylvania* featured in the *Washington Post*. The other, a Heartland Policy Brief entitled "Why the Constitution's 'Convention for Proposing Amendments' is a Convention of the States," should reassure those who believe the time has come for the states to act given current dysfunction at the federal level but fear the "runaway convention" scenario.

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## Expert Opinion

### Autocracy is on the Rise



Liberal democracy is in retreat, even in countries that were once seen as democratic success stories. According to Freedom House this century has witnessed a rise in authoritarian rule and a reduction of freedom in every indicator it tracks. From free expression to pluralism, from individual rights to rule of law, democracy is fading worldwide. Attacks on the media are increasing, and authoritarian rule is rapidly supplanting rule of law.

This month we highlight Cambodia where the current president is jailing the opposition and Poland which was a pioneering democratic success story in Eastern Europe and is now facing EU censure for tampering with the judiciary and media crackdowns.



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Twitter



LinkedIn

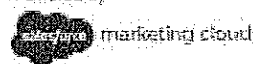


YouTube

This email was sent to: [william.reineke@drivereineke.com](mailto:william.reineke@drivereineke.com)

This email was sent by: American Legislative Exchange Council  
2900 Crystal Drive, Suite 600 Arlington, VA 22202 United States

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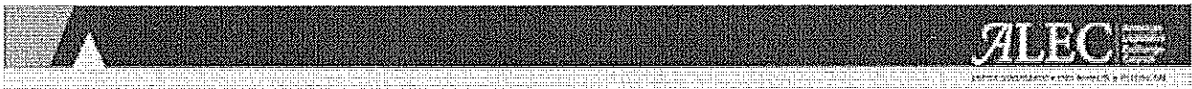
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**From:** Lisa B. Nelson  
**Sent:** Wednesday, November 1, 2017 2:01 PM  
**To:** William Reineke  
**Subject:** ALEC CEO Update: You are Making an Impact on Tax Reform

To view this email as a web page, go [here](#).



Dear Members,

Ronald Reagan was the last president to achieve tax reform in the 1980s—more than a generation ago. In that time, our society has fundamentally changed. And, the tax code has not. Americans and American job creators all want to keep more of their hard-earned money to pay for college or vacation, or to reinvest in a business or R&D.

While ALEC is a consistent leader on tax and fiscal policy issues under the direction of Chief Economist Jonathan Williams and the ALEC Center for State Fiscal Reform, our leadership is seen now more than ever in the fight to **eliminate the state and local tax (SALT) deduction—a move that would provide upwards of \$1.5 trillion over the next decade to implement broad-based national tax cuts.** Using the fairness and simplicity argument, President Reagan famously worked to eliminate the SALT deduction back in 1985.

Since the summer, progressive state and local advocates from NCSL, NACO, NGA, and others have been fighting to preserve the SALT deduction —a move that could end the push for comprehensive tax reform and continue to allow states and municipalities to spend beyond their means. **And, ALEC and its members have stood in opposition to the SALT deduction. And, our collective voice is being heard.**

As I write this note, the White House just distributed a message that includes the ALEC letter from legislators in 35 states as a primary reason to eliminate the SALT deduction (I've included the White House message below).

ALEC is unique on the policy landscape because we meet at the intersection of business interests and sound policy. Our policy solutions are more valid because of our robust and unique dialogue. Today, ALEC is making a difference for three reasons:

- **Leadership** – ALEC and ACCE members are leaders in their communities. They are closer to the people and have more regular, personal interaction with their constituents. (This also marks the first time ALEC, ACCE and ALEC Action have joined together in substantive federal outreach)

- **Perspective** – ALEC members have a unique perspective focused on individual freedom and federalism, and the intersection of business, policy and opportunity creation
- **Focus** – As an organization, ALEC can leverage the disparate voices of state leaders on a single issue. We are stronger together, and the attention on this issue is due in large part to how we organized and communicated with a single voice

For ALEC, this current push began at the Denver Annual Meeting with a discussion hosted by Newt Gingrich on the need for simple, across the board tax cuts for businesses and individuals. Since that time, it's been a full court press culminating in the open letter to Congress. Every week, ALEC legislators join conference calls to advise Congressional leadership. ALEC staff is at the table for White House strategy discussions. Jonathan Williams' message has blanketed the airwaves. And ALEC members have been calling their federal delegations and governors to make sure we make every argument in favor of eliminating the SALT deduction.

Right now, ALEC is making a difference. And, it's because of your commitment to limited government, free markets and federalism.

So many ALEC ideas start at our meetings. As I mentioned above, the current ALEC push for tax reform started at the 2017 Denver Annual Meeting. And, I would be remiss if I didn't use the opportunity to ensure the States and Nation Policy Summit was on your radar. I also want to call your attention to a **new caucus on rural issues** meeting for the first time on the morning of December 6 at the Nashville meeting. So many ALEC members come from rural America, but that means something different to each of us. Together we can create a policy package that provides a strong economic future for the majority of Americans.

As you plan your 2018 legislative agenda, you won't want to miss the opportunity to compare notes with your colleagues from around the country in Nashville from December 6 – 8. Hotel rooms are booking quickly for our *can't miss* event.

I'm looking forward to seeing you in Nashville and to all the opportunity 2018 will bring for states and for the free market.

Sincerely,

Lisa B. Nelson

CEO  
ALEC

**From:** Sadler, Kelly J. EOP/WHO

**Sent:** Monday, October 30, 2017 1:21 PM

**To:** Sadler, Kelly J. EOP/WHO

**Subject:** Top 10 Reasons Why SALT Needs to be Eliminated

## **Top 10 Reasons Why SALT Needs To Be Eliminated**

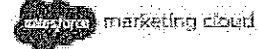
1. The SALT deduction disproportionately benefits the wealthiest 1 percent -- more than 70 percent of Americans receive no benefit from the deduction, according to a report by the Heritage Foundation.
  2. Eliminating SALT would generate an estimated \$1.669 trillion in revenues over the next 10 years, according to the same report.
  3. Getting rid of SALT would allow for a significant rate reduction — of up to 16 percent — for *all* taxpayers.
  4. Eighty-eight percent of those using the SALT deduction make over \$100,000, according to the Tax Foundation.
  5. The municipal bond interest deduction encourages state and local governments to run up debts that could lead to insolvency and unfairly subsidize wealthy investors.
  6. 125 state legislatures from 35 states signed an ALEC letter to repeal SALT because abolishing it would force residents to take a much harder look at their state and local tax rates — especially in the highest taxed states.
  7. Millionaires in New York and California get HUGE tax breaks from the state and local tax deduction. On average, millionaires in these two high-tax states deduct more than \$450,000 in state and local taxes, leading to a federal tax break of more than \$180,000 (Source: Heritage Foundation).
  8. Similarly-situated millionaires living in low-tax states such as Texas and Florida deduct only about \$75,000 in state and local taxes. As a result, millionaires living in Texas and Florida pay about \$150,000 more in federal income taxes than those with identical incomes who live in California or New York. (Source: Heritage Foundation)
  9. Together, California and New York receive nearly one-third of the deduction's total value nationwide. Six states — California, New York, New Jersey, Illinois, Texas, and Pennsylvania — claim more than half the value of the deduction (Source: Tax Foundation).
  10. Ronald Reagan argued in 1985 state and local tax deductions were “Truly taxation without representation.”
- “REAGAN: “We’re reducing tax rates by simplifying the complex system of special provisions that favor some at the expense of others. *Restoring confidence in our tax*

*system means restoring and respecting the principle of fairness for all. This means curtailing some business deductions now being written off; it means ending several personal deductions, including the state and local tax deduction, which actually provides a special subsidy for high-income individuals, especially in a few high-tax states. Two-thirds of Americans don't even itemize, so they receive no benefit from the state and local tax deduction. But they're being forced to subsidize the high-tax policies of a handful of states. This is truly taxation without representation."*

This email was sent to: [william.reineke@driveineke.com](mailto:william.reineke@driveineke.com)

This email was sent by: American Legislative Exchange Council  
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**From:** American Legislative Exchange Council  
**Sent:** Thursday, November 2, 2017 5:47 PM  
**To:** William Reineke  
**Subject:** Your ALEC Digital Exchange 11/2/2017

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**Digital Exchange - November 2, 2017**

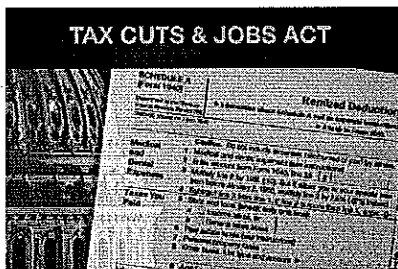


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## The Big Reveal: Our First Look at the Tax Bill



The House Ways and Means Committee released its tax reform legislation today that preserves much of the original intent of lowering rates, simplifying the code and making it fairer.

[Read Press Release](#)

## Member Focus

### State Legislators Support Eliminating the SALT Deduction



Hear from state legislators talking about tax reform, and why they support the repeal of the state and local tax (SALT) deduction. Legislators from both high- and low-tax states explain why this is an incredibly important issue.

[Watch Playlist](#)

## Legislator Voices

### **Incoming Nat'l Chmn. Rep. Jason Saine (NC) Gives Tax Reform Advice**



Incoming ALEC National Chairman Jason Saine of the North Carolina General Assembly discusses why he believes tax reform is important for America.

His advice to the Ways and Means Committee: "Put on your earmuffs, move forward because you know you are right. This is what America needs to be competitive."

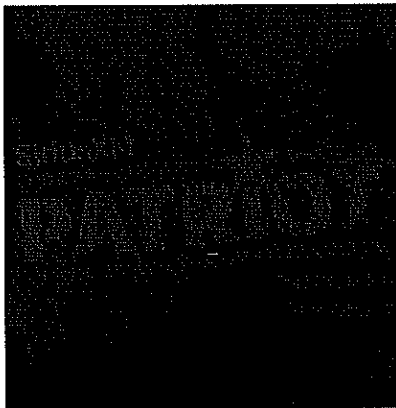
[Watch Video](#)

---

## **ALEC On the Radio**

### **Jonathan Williams Joins Patriot Radio**

Jonathan Williams | Center for State Fiscal Reform



ALEC Chief Economist and Vice President of the Center for State Fiscal Reform Jonathan Williams joins SiriusXM's "Patriot Radio" to discuss the upcoming tax reform bill. Jonathan is optimistic about the bill, stating, "We're on the cusp of fundamental tax reform for the first time in a generation that could provide 3-4% growth."

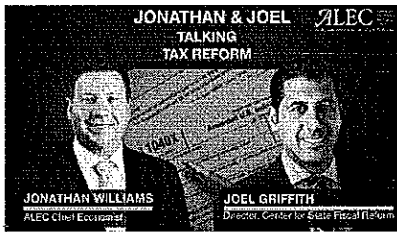
[Listen Here](#)

---

## **Hear From the Experts**

### **Spooky Scare Tactics on Halloween**

Center for State Fiscal Reform



In this Halloween edition of *Jonathan & Joel Talking Tax Reform*, our two experts discuss scare tactics that tax reform opponents have been deploying.

[Watch Video](#)

---

## Expert Opinion

### **We Must Get SALT out of Taxpayers' Diets**

Jonathan Williams | Center for State Fiscal Reform | *The Hill*



While the debate still rages over the effect that salt has on the health of Americans, another form of salt, the state and local tax deduction (SALT), is harmful to our federal tax code and, more importantly, bad for hardworking American taxpayers. Read Jonathan Williams' column in *The Hill* discussing the importance of eliminating the SALT deduction

[Read More](#)

---

## Expert Insight

### **Happy Halloween: States Look to Outlaw Masks During Protests**

Shelby Emmett, Ronald Lampard | American Legislative Exchange Council



This Halloween many states are considering outlawing the wearing of masks. Why? The news of late has been filled with scenes of American protests gone wrong. Whether it is the chaos at Berkeley or the horrific events that unfolded in Charlottesville, protesting has turned from something to celebrate to something to fear.

[Read Article](#)

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## A Modern Day Patrick Henry – “Give Me Liberty...”



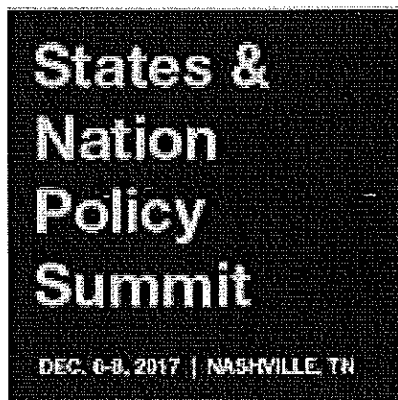
This week, ALEC and FreedomWorks introduce Virginia State Delegate Nick Freitas from the 30th district. Freitas firmly believes that, “We need more people in office dedicated to the philosophy that government’s primary responsibility is to protect the people’s liberty and property.” D

[Read More](#)

---

## States and Nation Policy Summit '17

**Register for SNPS Today!**



The States & Nation Policy Summit is gearing up to be a very popular meeting and we have an amazing line up of speakers that you do not want to miss! As the ALEC room block is quickly filling up, we encourage you to visit our meetings page for **alternative hotel options**. We apologize for any inconvenience this may cause, but are excited to see so many of you in just a few short weeks!

[Register for SNPS](#)

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**From:** Eric.Leach@ohiohouse.gov  
**Sent:** Monday, November 6, 2017 9:35 AM  
**To:** William Reineke  
**Subject:** RE: Historic Tax Credit [DRAFT]  
**Attachments:** HTC [DRAFT].pdf.docx

See attached

**Eric Leach**  
**Legislative Aide**  
**Office of Representative Bill Reineke**  
**88<sup>th</sup> District | Ohio House of Representatives**  
614-466-1374  
[eric.leach@ohiohouse.gov](mailto:eric.leach@ohiohouse.gov)  
77 South High Street, 13<sup>th</sup> Floor  
Columbus, OH 43215

---

**From:** William Reineke [mailto:william.reineke@drivereineke.com]  
**Sent:** Friday, November 03, 2017 2:51 PM  
**To:** Leach, Eric <Eric.Leach@ohiohouse.gov>  
**Subject:** RE: Historic Tax Credit [DRAFT]

Eric,

Can you send it were I can edit it?

Thank you

---

**From:** Eric.Leach@ohiohouse.gov [mailto:Eric.Leach@ohiohouse.gov]  
**Sent:** Friday, November 03, 2017 2:20 PM  
**To:** [Bill.Reineke@ohiohouse.gov](mailto:Bill.Reineke@ohiohouse.gov)  
**Cc:** William Reineke <[william.reineke@drivereineke.com](mailto:william.reineke@drivereineke.com)>  
**Subject:** Historic Tax Credit [DRAFT]

Please see attached. Thoughts??

**Eric Leach**  
**Legislative Aide**  
**Office of Representative Bill Reineke**  
**88<sup>th</sup> District | Ohio House of Representatives**  
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[eric.leach@ohiohouse.gov](mailto:eric.leach@ohiohouse.gov)

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**Bill Reineke**  
State Representative

---

The Honorable Rob Portman  
448 Russell Senate Office Building  
United States Senate  
Washington, DC 20510

November 3, 2017

Dear Senator Portman:

**In light of Congress' strong interest in reforming our nation's tax code, I would like to convey my strong support for the federal historic tax credit (HTC), which has helped preserve and revitalize my community and the State of Ohio.**

The HTC is the cornerstone of a long-standing and successful national policy of promoting the reuse of historic buildings to catalyze economic development and create jobs.

Weakening or eliminating the federal credit, as has been proposed by some in Washington, would endanger the economic feasibility of nearly all historic rehabilitation projects in Ohio. If Congress repeals or diminishes the HTC, communities across our state will lose an important tool to counter market forces that direct investment away from our main streets and downtown areas due to the higher cost of rehabilitating historic buildings.

Research conducted for the National Park Service by Rutgers University's Center for Urban Policy Research shows that since the historic tax credit was enacted in 1981, it has leveraged \$131 billion in investment in historic rehabilitation across the nation. It has also created 2.4 million jobs and rehabilitated over 42,293 historic buildings. For every dollar of public expenditure, investors contribute four dollars toward the rehabilitation of historic properties. Since the credits are not approved until the building is placed in service, many of the economic benefits from construction jobs, materials purchased and payroll taxes are generated before the tax credit is awarded.

The HTC is an efficient and effective use of taxpayer dollars. **Over the 36 years this incentive has been in place, the federal government has allocated about \$23.1 billion in tax credits. According to the same Rutgers study, these credits, in turn, have generated \$28.1 billion in federal income taxes. So under the dynamic scoring, the Treasury would lose revenue by eliminating the HTC.** Recognizing these valuable economic benefits, Ohio invests in its own Historic Tax Credit. The state's credit amplifies the benefits of the federal credit, attracting more in-state and out-of-state investment.

The historic tax credit has created a chance to preserve Ohio's history while fitting the needs of communities from Cleveland to Toledo and Columbus to Cincinnati, among many others.

Eliminating the federal historic tax credit would consign historic rehabilitation projects across the state to uncertain futures and would harm the Ohio historic tax credit by vastly diminishing the effectiveness of our state's investments. As Congress works to reform our nation's tax code, I ask that you protect and enhance this federal incentive that uses the historic assets of the past to meet the needs of Ohio's 21st century economy.

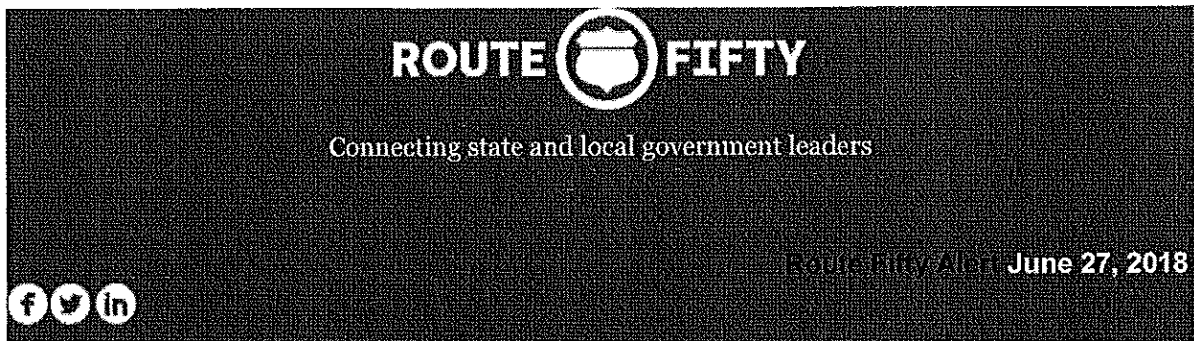
Sincerely,

A handwritten signature in cursive script that reads "Bill Reineke".

Bill Reineke  
State Representative  
88<sup>th</sup> House District  
Ohio House of Representatives

**From:** Route Fifty  
**Sent:** Wednesday, June 27, 2018 10:40 AM  
**To:** Leach, Eric  
**Subject:** News Alert: Supreme Court Decides Against Public Worker Unions in Fee Case

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**Supreme Court Decides Against Public Worker Unions in Fee Case // Bill Lucia**

The 5-4 decision found that charging non-union employees "agency fees" is a First Amendment violation. [Read full article »](#)

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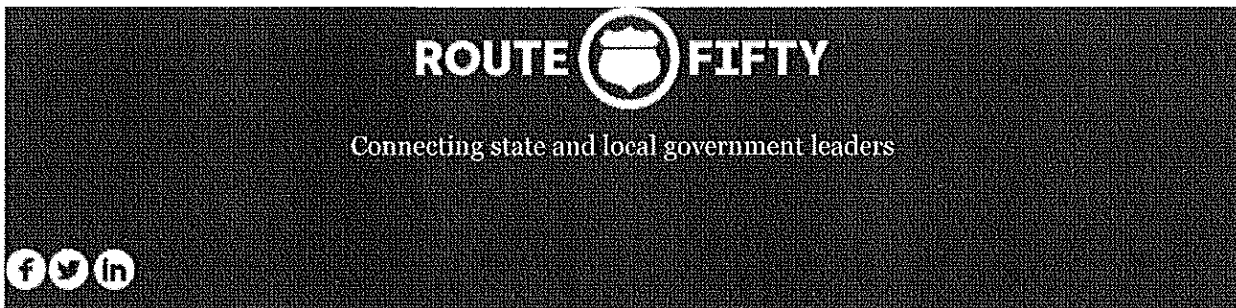
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Government Executive Media Group, 600 New Hampshire Avenue NW, Washington, DC 20037

**From:** Michael Grass  
**Sent:** Wednesday, June 27, 2018 3:01 PM  
**To:** Leach, Eric  
**Subject:** Supreme Court Decisions + More From This Week

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## Route Fifty Editor's Picks

Good day,

It's certainly been a busy week or so at the U.S. Supreme Court and our team at *Route Fifty* has been busy tracking some of the rulings of major interest to state and local governments, including the [South Dakota v. Wayfair online sales tax decision](#), the [California crisis pregnancy law ruling](#) and fresh out today, the long-awaited [Janus v. AFSCME decision on public worker union fees](#).

For this week's *Route Fifty* Editor's Picks, I'm highlighting some of our recent Supreme Court coverage plus some stories of state and local interest, including stories about [Great Falls, Montana](#), [Somerville, Massachusetts](#), [Franklin County, Pennsylvania](#) and [Laredo, Texas](#)

Thanks for reading,

— Michael Grass

Executive Editor, *Route Fifty*  
Government Executive Media Group



How will the landmark Supreme Court decision on online retail sales tax policies play out following a landmark Supreme Court decision.

## U.S. Supreme Court Finds That California Crisis Pregnancy Law Violates Free Speech



LAURA MAGGI | The decision likely will have broader implications as other jurisdictions have disclosure requirements on the books for pregnancy centers, although those have also been subject to legal challenges.

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**Amtrak is a Trailblazer, Institutionalizing Innovation Management on the Cloud**

For most organizations, “keep the train moving” is merely a common office expression. But for Amtrak, it’s quite literal. Salesforce had the chance to sit down with several members of Amtrak’s leadership team and hear how their enterprise-wide transformation effort moves America faster with a digital, modern mission. [Privacy Policy](#)

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BILL LUCIA | The 5-4 decision found that charging non-union employees “agency fees” is a First Amendment violation.

## **How One Montana City Is Weathering Talk of a ‘Trade War’**

DAVE NYCZEPIR | “If the farmers and ranchers aren’t making money, we feel it immediately in Great Falls.”

## **In and Around Boston, the Green Line Gets Many Green Lights**

MICHAEL GRASS | The MBTA’s new GLX project will connect to America’s oldest subway line and surface corridors seeing major investments in transit-priority signals. Here’s what’s underway.

## **Data, Police and Mental Health: How a Pennsylvania County Helps People in Distress**

KATE ELIZABETH QUERAM | Mental health co-responder programs are increasingly common in law-enforcement agencies across the country, due largely to declines in the resources available to mental health providers that have forced police officers and sheriff's deputies to take on additional responsibilities when answering calls.

## **Local Plastic Bag Restrictions Get Trashed by Texas Supreme Court**

BILL LUCIA | The legal fight involved the city of Laredo and marks one of the latest battles over local government power in the Lone Star State.

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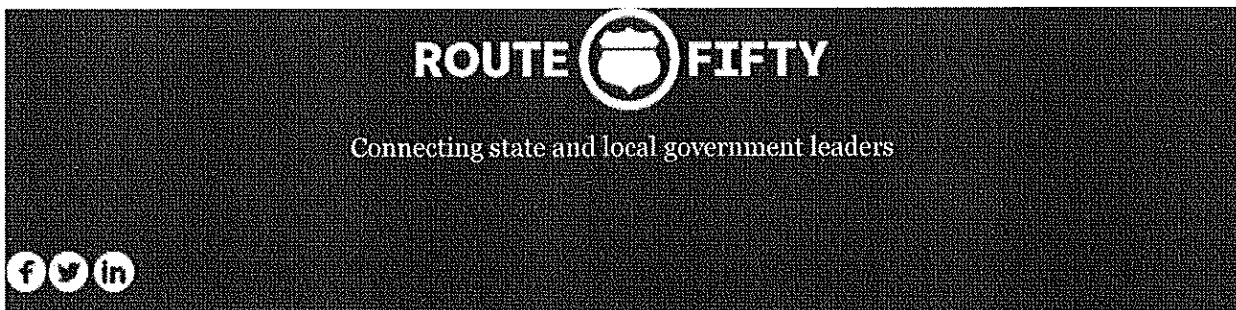
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Thanks for reading,

— Michael Grass

Executive Editor, *Route Fifty*  
Government Executive Media Group



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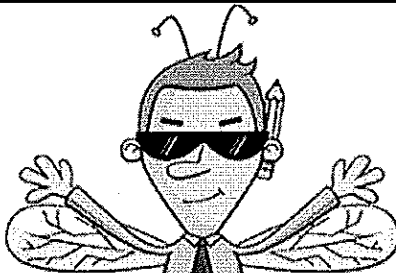
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Government Executive Media Group, 600 New Hampshire Avenue NW, Washington, DC 20037

**From:** Thomas B. Fordham Institute  
**Sent:** Wednesday, June 27, 2018 5:00 PM  
**To:** Leach, Eric  
**Subject:** The Education Gadfly Weekly: The victims of unearned diplomas

We won't be publishing an edition of the Education Gadfly Weekly next Wednesday because of the Fourth of July. We'll pick back up on July 11.

Happy Independence Day, everyone!

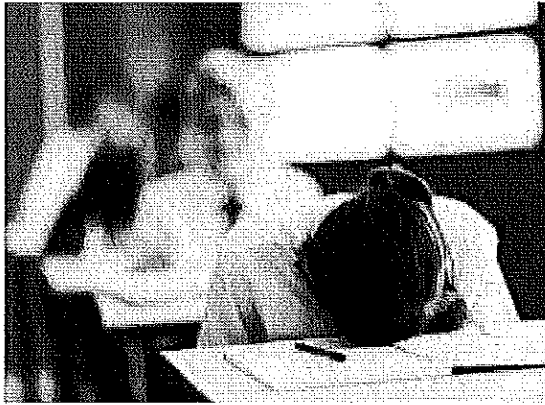


# THE EDUCATION GADFLY WEEKLY

VOLUME 18 NUMBER 26 | JUNE 27, 2018

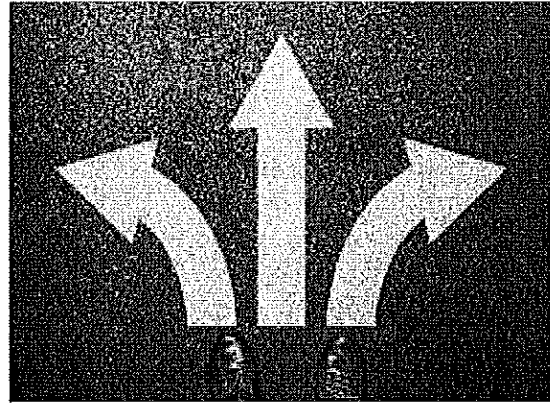
## THE VICTIMS OF UNEARNED DIPLOMAS

By Adam Tyner and Brandon L. Wright



### **Dubious move to reject Advanced Placement**

By Chester E. Finn, Jr.



### **States' newfound freedom to fix or replace struggling schools: Advice for state boards**

By Brandon L. Wright

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## OPINION

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### **The victims of unearned diplomas**

By Adam Tyner and Brandon L. Wright

Upwards of 3.6 million high school seniors graduated this year, and most of them left twelfth grade with a reasonable complement of the knowledge and skills we expect of those taking their first steps into adulthood—be that college, career or technical training, military service, even a fruitful “gap year.” Most—but not all. Recent scandals in Washington, D.C., Maryland, and elsewhere have made it clear that far too many students are still being shuttled through secondary school with little regard for whether they leave with the requisite skills. Many believe this is a victimless act: “These struggling students will be even worse off without diplomas!” some might declare. But step back a moment and you will see the harm. [Read more.](#)

### **Dubious move to reject Advanced Placement**



By Chester E. Finn, Jr.

An octet of Washington, D.C.-area private schools recently announced that they'll no longer offer Advanced Placement courses, and made much of how the home-grown classes that will replace AP "allow for authentic engagement with the world and demonstrate respect for students' intellectual curiosity and interests." That's apt to resonate with upper-middle class parents whose children attend these schools and are likely to do fine in college and beyond, with or without AP. For the vast majority of American families, however, desperate for quality schooling and solid college prospects for their own children, this whole maneuver looks snobby and smug. It's also off-base and disingenuous. [Read more.](#)

### **States' newfound freedom to fix or replace struggling schools: Advice for state boards**

By Brandon L. Wright

States have long struggled to turn around low-performing schools, but they now have the freedom under ESSA to bring creativity to the task. The law grants them significant deference, and \$1.1 billion in the current fiscal year, to achieve this goal. And state boards are among the entities best poised to effect this change. ESSA frontloads responsibility on local officials, so the challenge for state leaders is to achieve the right sequence of carrot and stick. They must persuade, cajole, and challenge districts into taking effective action to improve student outcomes, but they also need local leaders to know they will use the "rigorous interventions" the law demands if failures persist. [Read more.](#)

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## FROM FORDHAM'S ARCHIVES



FEBRUARY 2018

### **To fix the gaming of graduation requirements, we need to overhaul high schools and our policies governing them**

By Michael J. Petrilli

We armchair-quarterbacks of education have made a complete hash of the policies governing high schools and what's expected of young people seeking to graduate from them. Our first mistake was to set sky-high goals around graduation rates, while allowing local officials great discretion in defining what it takes for students to earn a diploma. Our second big error has been to resist anything resembling tracking. Until we fix these problems, we should expect the cheating and gaming to continue. [Read more.](#)

## THE EDUCATION GADFLY SHOW

### HOW SCHOOLS CAN BETTER PREPARE FOR THE WORST

On this week's podcast, Andy Rotherham, co-founder and partner at Bellwether Education Partners, joins Mike Petrilli and David Griffith to discuss how schools can prevent mass shootings without turning themselves into bunkers. On the Research Minute, Amber Northern examines how warm weather affects student learning.



## REVIEWS

### STUDY

### **Bringing Head Start programing into the home**

By Jeff Murray

If a little treatment goes a long way, does it stand to reason that more treatment will go even further? A research team led by Karen Bierman of Penn State University recently tested this idea. The treatment in question is the Research-Based and Developmentally Informed preschool classroom program, which researchers extended via a home-visiting program designed to train parents as surrogate teachers. They found that, consistent with their previous studies, students who received the latter treatment at home scored significantly better on all measures at the end of kindergarten than did students receiving only the classroom program and a packet of math-learning games in the mail. [Read more.](#)

#### REPORT

### **The diversity of Denver's school portfolio**

By Tyler Hughes

A recent A+ Colorado report examined whether Denver's portfolio-style district—which comprises numerous autonomous public schools employing different educational strategies and philosophies—offers an equal variety of options for students in all areas of the city and in all grades, as well as whether its various school models correlate with higher or lower test scores. It finds, among other things, that each region offers a unique set of options for students, but some regions have more diverse offerings than others, and no one region has seats in every school model. Nor is any one model consistently high quality. [Read more.](#)

## WHAT WE'RE READING

- *Janus* results are in, but what does that mean for teachers' unions? Test out your own predictions with this interactive survey tool. —[AEI](#)
- "Today you can be a conservative or a Republican, but you can't be both." —[New York Times](#)
- Education reformers and policy initiatives are tackling the "excellence gap." —[New York Times](#)
- Decreased influence of teachers' unions in the wake of *Janus* could be freeing for some Democratic politicians. —[74 Million](#)

- Income inequality was a theme of the 2016 election, but income *equality* among the bottom 60 percent of Americans may have had as much to do with the politics of resentment that won it. — [Wall Street Journal](#)
- An elite public high school has been trying for years to enroll more students from underrepresented groups. Its efforts have largely been unsuccessful, but that doesn't mean it's time to stop trying. — [Education Next](#)
- "Choosing better curriculum—often meaning textbooks—can lead to notable gains in student achievement." — [74 Million](#)
- Merge the U.S. Departments of Labor and Education? Perhaps the proposal is "most interesting as a symbolic statement." = [2AEI](#)

## REPORT:

### *Self-Discipline and Catholic Schools: Evidence from Two National Cohorts*

Regardless of where you stand in the debate currently raging over school discipline, one thing seems certain: It is better for kids to show self-discipline than to have it externally imposed. Over the years, Catholic schools have been particularly committed to the formation of sound character, including the development of self-discipline. But how well has that worked? Do students in Catholic school actually exhibit more self-discipline than their peers—and if so, what can those schools teach other public and private schools about how it can be fostered? This report examines these questions and finds that students in Catholic schools do indeed exhibit more self-control and self-discipline and are less likely to act out or be disruptive than peers in other private or public schools. This suggests that schools that value and focus on self-discipline will likely do a better job of fostering it in children; that other schools have something to learn from Catholic schools when it comes to fostering self-discipline; and that we should not underestimate the power of religion to positively influence a child's behavior—and thus shouldn't restrict families' choices on the basis of religion. [Read more.](#)

# ICYMI

FLYPAPER | JUNE 26, 2018

## **What have we learned from the Gates-funded teacher evaluation reforms?**

By Matthew A. Kraft

Nine years, \$575 million dollars, and 500-plus pages later, what have we learned about the Gates Foundation's ambitious efforts to improve teacher effectiveness through evaluation and human capital reforms? The headlines about the RAND Corporation's recently released final report on the The Intensive Partnerships for Effective Teaching initiative have focused on the lack of any consistent effects on student outcomes. But the real story here is the many insights about implementation—what actually happened on the ground—based on rich qualitative and survey data. [Read more.](#)

FLYPAPER | JUNE 25, 2018

## **Crowdsourcing request: Best educational YouTube channels for kids?**

By Michael J. Petrilli

Fordham has published a list of TV shows for young kids and for families, a compilation of educational videos, and a list of recommended apps. Now for the next frontier: YouTube. It feels like a miracle that there's such good content being produced, and makes us wonder what else we should be sampling. To that end, we took a spin around the yonders of YouTube and found numerous worthwhile offerings for various age groups and academic subjects. But we also want our list to be as complete as possible, so check it out and let us know what we missed. [Read more.](#)

FLYPAPER | JUNE 21, 2018

## **No, they aren't amazing because they finished fifth grade**

By Erika Sanzi

Is a fifth grade graduation really all that amazing? Are we really high-fiving and showering our kids with gifts because they finished eighth grade? There was a time when graduations were only for twelfth graders. Yes, there are circumstances in which these milestones and achievements can be remarkable: war-torn countries, violence-ridden communities, children who have overcome the odds of illness or trauma. But most of suburban America is caught up in a culture that over-praises the most basic achievements, as if finishing elementary school was even up for negotiation or "graduating" from eighth grade symbolizes some sort of triumph. Let's stop. [Read more.](#)

FYI

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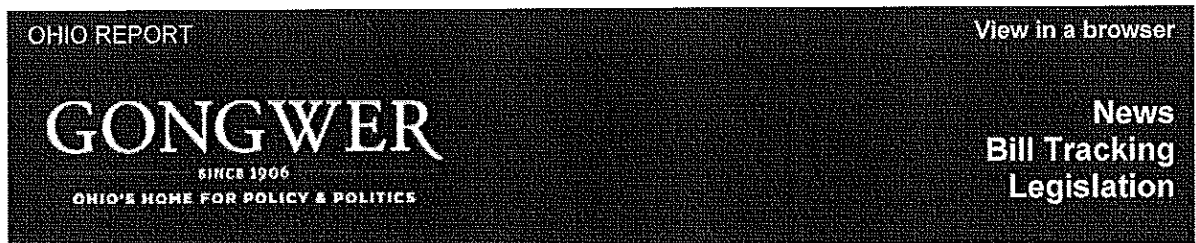
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## **OHIO REPORT WEDNESDAY, JUNE 27**

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**Lake Erie, Voting Machine Funding Among Bills Headed To Governor**

**Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House**

**Senate Passes Measures Focused On Reducing Regulations**

**Bills Amended To Enhance Online School Oversight Head To Governor**

**Senate Panel Delays Vote On Energy Standards, Wind Setback Bill**

**Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing**

**High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement**

**Chairman: Senate Looking For Balance With Payday Lending Measure**



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**House**

**Senate**

## **CALENDARS**

**Day Planner**

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## Senate Activity for Wednesday, June 27, 2018

### INTRODUCED

**SB 313** ■ **COLLEGE APPLICATION MONTH (Schiavoni, J.)** To establish the College Application Month program. Am. 3314.03, 3326.11, and 3328.24 and to enact sections 3313.6024 and 3333.301.

**SB 314** ■ **SCHOOL PSYCHOLOGISTS (Schiavoni, J.)** With regard to mental health services in public and nonpublic schools, to require school districts to employ school psychologists and intervention specialists, to provide an additional state payment to school districts for school psychologist and intervention specialist services, and to make an appropriation. Am. sections 3314.03 and 3326.11 and to enact sections 3301.0730, 3317.26, 3319.077, and 3319.078 of the Revised Code and to amend Section 265.10 of Am. Sub. H.B. 49 of the 132nd General Assembly and Section 265.210 of Am. Sub. H.B. 49 of the 132nd General Assembly, as subsequently amended.

### PASSED

**HB 18** ■ **SPECIAL ELECTIONS (Pelanda, D., Retherford, W.)** to eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances; to authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers, to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices; and to require that, upon request, county auditors, municipal fiscal officers, and their employees must share lodging tax return information with the directors of convention and visitors' bureaus operating in their counties.  
(32-0 (Earlier REPORTED-SUBSTITUTE)  
Gongwer Coverage

**HB 87** ■ **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of the enrollment records of a community school, to clarify the time period within which a school district emergency levy or substitute levy may be renewed or replaced, to clarify the responsibilities of a school district treasurer regarding the signing or executing of certain documents, to require the State Board of

Education to adopt standards for learning management software for internet- and computer-based community schools, regarding qualification for state payments by internet- or computer-based community schools, regarding joint health and medical insurance programs by political subdivisions and county boards of developmental disabilities, regarding submission of five-year financial forecasts by public schools, and regarding the moratorium on certain provisions affecting community schools and school districts whose enrollments were affected due to enrolling students of a suspended e-school. 32-0 (Schiavoni & Skindell) Earlier REPORTED-AMENDED

**Gongwer Coverage**

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**HB 95** ■

**DISTRACTED DRIVING (Hughes, J., Seitz, B.)** To establish an enhanced penalty for committing a moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import.

31-1 (Jordan)

**Gongwer Coverage**

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**HB 168** ■

**CEMETERY REGISTRATION (Stein, D.)** To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, to allow the Board of Embalmers and Funeral Directors to review and vote upon certain license suspensions by telephone, to make various other changes to the embalmers, funeral directors, and crematory licensing laws, and to make an appropriation.

32-0

**Gongwer Coverage**

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**HB 263** ■

**OUTDOOR DINING AREAS (Lanese, L.)** To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.

32-0

**Gongwer Coverage**

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**HB 312** ■

**POLITICAL SUBDIVISION SPENDING (Schuring, K., Greenspan, D.)** To regulate the use of credit cards and debit cards by political subdivisions, to modify the duties and powers of the Auditor of State, to specify that electronic submission of a public record request entitles the requestor to damages if the public office fails to comply with the Public Records Act, to make changes to

the law governing financial planning and supervision commissions, and to authorize a property tax abatement for certain property subject to a submerged land lease and held by a municipal corporation.

32-0 (Earlier REPORTED-SUBSTITUTE (No testimony)

Gongwer Coverage

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**HB 336** ■ **LICENSE FEES (Barnes, J., Greenspan, D.)** To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative.

32-0

Gongwer Coverage

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**HB 347** ■ **ROAD NAMING (Kelly, B., Dever, J.)** To designate multiple memorial highways.

32-0 (Earlier REPORTED-SUBSTITUTE)

Gongwer Coverage

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**SB 119** ■ **OPIOID MEDICATIONS (Hackett, B., Hottinger, J.)** Regarding naltrexone and medication-assisted treatment.

32-0

Gongwer Coverage

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**SB 229** ■ **CONTROLLED SUBSTANCES (Eklund, J.)** To modify the laws pertaining to regulation of controlled substances and to make other changes in the laws administered by the State Board of Pharmacy.

32-0

Gongwer Coverage

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**SB 255** ■ **OCCUPATIONAL LICENSING (McColley, R.)** To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations.

24-8 (Earlier REPORTED-SUBSTITUTE)

Gongwer Coverage

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**SB 273** ■ **RATING AGENCIES** (Hackett, B.) To enact for the Revised Code a definition of the term "rating agency."

32-0

Gongwer Coverage

**SB 293** ■ **ADMINISTRATIVE REGULATIONS** (Peterson, B., McColley, R.) To require agencies to reduce the number of regulatory restrictions.

23-9 (Earlier REPORTED-SUBSTITUTE)

Gongwer Coverage

**SCR 21** ■ **APPALACHIAN STORAGE HUB** (Balderson, T.) To urge the Congress of the United States to enact various bills advancing the development of an Appalachian storage hub.

31-1 (Skindell)

Gongwer Coverage

**SCR 23** ■ **FEDERALISM** (Obhof, L., Peterson, B.) To reassert the principles of federalism found throughout the Constitution of the United States of America and embodied in the Tenth Amendment, to notify Congress to limit and end certain mandates, and to insist that federal legislation contravening the Tenth Amendment be prohibited or repealed.

25-7

Gongwer Coverage

## **INFORMALLY PASSED**

**SB 86** ■ **DAY DESIGNATION** (Hackett, B.) To designate multiple memorial highways and bridges, to create multiple nonstandard license plates, to create multiple special designations, and to designate John Glenn's childhood home as a state historic site.

## **SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 66** ■ **CRIMINAL LAWS** (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including the promotion of effective rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility

criteria and procedures for granting pre-trial diversion and intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation; to extend the State Highway Patrol's authority to enforce criminal laws to also apply to the Northeast Ohio Correctional Center; to modify the penalty for an employer's failure to remit state income taxes withheld from an employee; and to authorize the conveyance of state-owned real estate.

29-0

**Gongwer Coverage**

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**SB 127** ■

**WASTE COLLECTION VEHICLES (LaRose, F.)** To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.

29-0

**Gongwer Coverage**

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**SB 135** ■

**VOTING EQUIPMENT (LaRose, F.)** To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program.

31-1 (Jordan)

**Gongwer Coverage**

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**SB 216** ■

**SCHOOL REGULATIONS (Huffman, M.)** To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs, to add the territory of Summit County to the Stark State College District, and to prescribe procedures for appointing the board of trustees of the combined technical college district.

28-1 (Brown)

**Gongwer Coverage**

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**SB 220** ■

**CYBERSECURITY (Hackett, B., Bacon, K.)** To provide a legal safe harbor to covered entities that implement a specified cybersecurity program, to allow transactions recorded by blockchain technology under the Uniform Electronic Transactions Act, and to alter the definition of "key employee" under the Casino Gaming Law.

29-0

**Gongwer Coverage**

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**SB 221** ■ **AGENCY RULEMAKING (Uecker, J.)** To reform agency rule-making and legislative review thereof.

23-6

**Gongwer Coverage**

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**SB 239** ■ **REGIONAL GOVERNMENT COUNCILS (Dolan, M.)** To modify the law concerning regional councils of governments to clarify that a municipal corporation eligible to designate a tourism development district may designate more than one district, to specify that the American Law Institute's approved "Restatement of the Law, Liability Insurance" does not constitute the public policy of Ohio, to designate a portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial Highway," to designate a portion of Interstate Route 270 in Franklin County as the "Officers Anthony Morelli and Eric Joering Memorial Highway," and to designate the portion of U.S. Route 24 in Henry County as the "Henry County Veterans Highway."

29-0

**Gongwer Coverage**

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**SB 299** ■ **WATER IMPROVEMENTS (Gardner, R., O'Brien, S.)** To credit additional amounts of the Local Government Fund to fund public safety services in areas that experienced a 30% or more decrease in the taxable value of certain power plants between 2016 and 2017, to phase out the payments over ten years, to increase the appropriation to the Local Government Fund; to support broadband development; to establish the OhioCorps Pilot Project; and to make appropriations, including appropriations for the protection and preservation of Lake Erie and the National Guard Scholarship Program.

29-0

**Gongwer Coverage**

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**CONFERENCE REPORT ADOPTED**

**SB 1** ■ **DRUG OFFENSES (LaRose, F.)** To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marijuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of



permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances.

31-1 (Skindell)

Gongwer Coverage

## **COMMITTEE HEARINGS**

### **Energy & Natural Resources**

**HB 114** **RENEWABLE ENERGY (Blessing, L.)** To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program. (SCHEDULED BUT NOT HEARD (See separate story); 8th Hearing-Possible amendments & vote)

**SB 51** **LAKE ERIE (Skindell, M., Eklund, J.)** To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. (REPORTED-AMENDED (No testimony); 4th Hearing-All testimony-Possible vote)

Before reporting the measure, the committee adopted an amendment from **Sen. Michael Skindell** (D-Lakewood). The senator said his fellow lead cosponsor, **Sen. John Eklund** (R-Chardon), has also signed off on the change, which ensures that if state property lies within the district, the required assessment will not be forced upon the state.

### **Government Oversight & Reform**

**HB 18** **SPECIAL ELECTIONS (Pelanda, D., Retherford, W.)** To eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances. (REPORTED-SUBSTITUTE; 2nd Hearing-All testimony-Possible amendments & vote)

A substitute version offered by chairman **Sen. Bill Coley** (R-Liberty Twp.) rolls another measure (**SB 252**) into the bill that allows local elected officials to serve on the board of a convention and visitors' bureau.

In written proponent testimony, **Secretary of State Jon Husted** said the original measure will save taxpayer dollars. He noted that a special congressional election in 2016 with just one candidate costed \$340,000.

**HB 312** **POLITICAL SUBDIVISION SPENDING (Schuring, K., Greenspan, D.)** Regarding use of credit cards and debit cards by political subdivisions. (REPORTED-SUBSTITUTE (No testimony); 4th Hearing-All testimony-Possible amendments & vote)

A substitute version of the bill offered by **Sen. Matt Huffman** (R-Lima) largely cleans up language in the bill and also continues a property tax abatement for the City of Lorain, Sen. Coley explained.

**HB 34**

**PUBLIC NOTICES (Hambley, S., Ryan, S.)** To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. **(REPORTED-SUBSTITUTE (No testimony); 4th Hearing-All testimony-Possible amendments & vote)**

Sen. Huffman offered an amendment accepted without objection to remove some sections pertaining to when electronic notices would not be allowed and to allow a recently elected public official to take public records training prior to taking office.

Another change allows a county prosecutor's office to represent port authorities, planning commissions and regional airport, Sen. Coley explained.

**SB 202**

**OFFENDER RE-ENTRY (Bacon, K., O'Brien, S.)** To require the Department of Rehabilitation and Correction to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Law. **(CONTINUED (See separate story); 3rd Hearing-Proponent)**

**SB 255**

**OCCUPATIONAL LICENSING (McColley, R.)** To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations. **(REPORTED-SUBSTITUTE; 4th Hearing-All testimony-Possible amendments & vote)**

A substitute version of the bill offered by **Sen. Joe Uecker** (R-Loveland) makes several changes, including adding factors to the list used in determining whether an occupational licensing board has demonstrated a public need. **(Comp doc)**

It also provides that occupational regulations that are created by adopting national standards used in at least 45 states are deemed to be narrowly tailored and the least restrictive.

In written opponent testimony, Jarrod Clabaugh, executive director of the Ohio Society of Association Executives, called for lawmakers to seek additional input on the bill.

John Graham, president and CEO of the Center for Association Leadership, called for the creation of a task force.

"We suggest that instead the legislature establish a task force to consider the problem of excessive occupational licensing and to develop ways to address that problem without weakening the protections to the public offered by governmental recognition of private certification programs," he wrote.

**Subscribers Note:** For full testimony see the [committee's website](#) under June 26.

## **Finance**

**HB 123** **LENDING LAWS (Koehler, K., Ashford, M.)** To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (CONTINUED (See separate story); 5th Hearing-All testimony-Possible vote)

## **Transportation, Commerce & Workforce**

**HB 347** **ROAD NAMING (Kelly, B., Dever, J.)** To designate a portion of I-71 in Hamilton County as the "Sonny L. Kim Memorial Highway." (REPORTED-SUBSTITUTE (No testimony); 3rd Hearing-All testimony-Possible amendments & vote)

Chairman **Sen. Frank LaRose** (R-Hudson) said the substitute version allows the legislation for to be used as a vehicle for the naming of multiple memorial stretches of highway honoring people killed in the line of duty.

**SB 293** **ADMINISTRATIVE REGULATIONS (Peterson, B., McColley, R.)** To require agencies to reduce the number of regulatory restrictions. (REPORTED-SUBSTITUTE); 4th Hearing-All testimony-Possible amendments & vote)

The committee accepted a substitute offered by **Sen. Rob McColley**, (R-Napoleon), who said the updated measure would apply the mandate to cut regulations by 30% statewide "at more of a macro level than the micro level."

Sen. McColley said his version would require every head of a cabinet-level department and every statewide elected official to inventory all regulations associated with their departments, as well as the commissions or agencies under them, and apply the 30% reduction "in the aggregate." He said the change was needed because some individual agencies or commissions might not have room to cut the percentage of regulations required by the original legislation.

"There are many state agencies that are already running pretty lean and already have very few rules," he said.

The substitute version also would give the Joint Committee on Agency Rule Review the authority to approve or deny the cuts, he said.

Sen. Matt Dolan (R-Chagrin Falls) said he agrees with the goal but has concerns the legislature may be ceding too much authority under the proposal.

"We're asking (agencies) to get rid of regulations that are contrary to legislative intent," he said. "I would rather be the one to dictate what legislative intent is."

Sen. McColley said he thinks the substitute bill "actually strengthened the authority of JCARR," and therefore, the legislature.

The panel reported the bill along party lines after accepting the substitute version.

Before accepting Sen. McColley's changes, the committee tabled a substitute bill offered by **Sen. Charleta B. Tavares** (D-Columbus) that she said would remove the requirement that regulations be cut by 30% across the board in the state. Her version instead would have instead required state agencies to cut regulatory restrictions until a reduction "deemed sufficient by the state agency in consultation with (JCARR) has been achieved," she said. She said the substitute version also would have prohibited agencies from removing regulations required by federal law, among other changes.

"What we're trying to do is enlist both JCARR and the agencies in identifying those regulations or statutes that should be removed ... so that we can make informed decisions," she said.

Ahead of the adoption of the substitute legislation, Greg Lawson, research fellow with the Buckeye Institute, said the state "desperately needs" the effort to cut unneeded regulations to boost the economy. He said the state's licensing requirements are more restrictive than most states.

"Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways," he said. "But the same cannot be said with respect to auctioneers, travel guides, and hairdressers-all currently subject to Ohio's byzantine and overly restrictive licensing requirements."

Mr. Lawson said efforts to rein in regulations could lead to employers hiring more workers and employees earning more.

"Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses," he said. "Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates."

**SB 308** **ELEVATOR LAW (Uecker, J., Yuko, K.)** To revise the Elevator Law.  
(CONTINUED; 1st Hearing-Sponsor)

**Sen. Joe Uecker** (R-Loveland) said in sponsor testimony the measure, which has companion legislation (**HB 236**) in the House, would "modernize" the state's elevator laws. "Taking elevators is a regular occurrence in our day to day lives and malfunctions can cause serious injuries to riders. SB308 seeks to codify industry standards and set licensure qualifications to help ensure the safety of both elevator riders and workers," he said. He said the measure would update the state's definition for elevators and create an Elevator Safety Review Board, among other changes.

**Sen. Kenny Yuko** (D-Richmond Hts.), the measure's other primary sponsor, said the bill also establishes new licensing and insurance requirements for elevator contractors, inspectors and mechanics.

"Our goal is to ensure the safety for the public and for those who work and install elevators. The best way for us to ensure a high level of safety is to ensure that all elevators are installed and maintained by licensed professionals."

**HCR 10** **ANTI-SEMITISM (Thompson, A., Greenspan, D.)** To condemn the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. **(REPORTED-AMENDED; 5th Hearing-All testimony-Possible amendments & vote)**

Chairman LaRose amended the bill with language condemning white nationalists and other hate groups.

Sen. Tavares offered a substitute resolution, which would have condemned attacks and discrimination against all minority groups by hate groups including white nationalists and neo-Nazis, and remove references to the boycott movement.

"We can't say people can't talk," she said. "That goes against who we are as a nation and a state."

The panel tabled her proposal, and Sen. Tavares subsequently cast the lone vote against reporting the measure.

Prior to the report, Connie Hammond, a member of United Methodists for Kairos Response and the Free Speech Coalition of Ohio, said the legislation unfairly conflates the Boycott, Divestment, Sanctions movement with anti-Semitism and could be seen as a form of censorship.

"The International BDS movement is not anti-Semitic," she said. "The call to BDS issued by 170 Palestinian civil society organizations asked the international community to stand for freedom, equality and justice."

Sen. LaRose said he rejects the idea that the measure constituted any kind of censorship.

"There's nothing in here that restricts speech," he said.

**Education**

**HB 87** **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. **(REPORTED-AMENDED (See separate story); 4th Hearing-All testimony-Possible amendments & vote)**

**SB 34** **ACADEMIC YEAR (Manning, G.)** To generally require public and chartered nonpublic schools to open for instruction after Labor Day. **(Scheduled but not heard); 7th Hearing-All testimony-Possible vote)**

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## Daily Activity Planner for Thursday, June 28

### Legislative Committees

Joint Medicaid Oversight Committee (Committee Record) (Chr. Huffman, S., 466-7584), Rm. 313, 9 a.m.

- Behavioral Health Redesign Update from Barbara Sears, Director, Ohio Department of Medicaid and Emily Higgins, Chair, OAHF Behavioral Health Subcommittee
- PBM Report from Barbara Sears, Director, Ohio Department of Medicaid Joint Ohio College Affordability Committee (Chr. Wilson, S., 466-9739), Senate Finance Hearing Rm., 10 a.m.
- Overview of strategies for preserving and improving the affordability of a college education in Ohio by the Ohio Association of Community Colleges and the Inter-University Council of Ohio

Joint Education Oversight Committee (Committee Record) (Chr. Manning, G., 466-8150), North Hearing Rm., 11:30 a.m.

- Presentations by Connie Shriver (Coordinator of Career & Academic Readiness Education at the Mid-East Career and Technology Centers), Mary Murphy (Manager of Adult Success Initiatives at Lorain Community College), and Greg Harp (Vice President of Graduation Alliance) on Adult Graduation Pathways
- Presentations by the Ohio Department of Education and the Ohio Department of Job and Family Services on Early Childhood Programs
- Update on progress of other research projects (tentative)

### Agency Calendar

Civil Rights Commission, Lobby Mtg. Rm., 1st Fl., 30 E. Broad St., Columbus, 9:30 a.m.

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.  
Business Gateway Steering Committee, 30 East Broad Street, Room 2925, Columbus, 1 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

### Event Planner

Rep. Brian Hill (R-Zanesville) golf outing fundraiser, Eaglesticks Golf Club, 2655 Maysville Pike, Zanesville, 9:30 a.m., (9:30 am registration; 10:30 am shotgun start; 4:30 pm barbeque. Brian D. Hill for State Representative)

Rep. Stephanie Howse (D-Cleveland) & Rep. Janine Boyd (D-Cleveland Hts.) fundraiser, Lake Affect Studios, 1615 East 25th St., Cleveland, 5:30 p.m., (\$500, \$150, \$75, \$35 to Friends of Stephanie Howse, Friends of Janine Boyd)

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**Volume #87, Report #124 -- Wednesday, June 27, 2018**

**Lake Erie, Voting Machine Funding Among Bills Headed To Governor**

A busy day of lawmaking Wednesday saw a wide variety of bills sent to Gov. John Kasich's desk, including long-sought funding for new voting equipment and money to fight harmful algal blooms in Lake Erie.

In total, the two chambers sent 19 bills to the governor, including a pair dealing with oversight for charter schools. (*See separate story*)

The voting machine measure (SB 135) appropriates \$114.5 million to buy new equipment. The House had previously passed it, and the Senate voted 31-1 in to concur with a House amendment that updated the fiscal year in the language.

"We've had machines that in many cases are 15 years old," sponsor Sen. Frank LaRose (R-Hudson) said. "Our county boards of elections and folks all throughout Ohio are very excited about the prospect that maybe sometime this winter or next spring there may be a truck showing up with new voting machines."

"It's time that we got this done," Sen. LaRose, the Republican nominee for secretary of state, continued. "This is something we've been talking about for a while."

Rep. Kathleen Clyde (D-Kent), the Democratic nominee for secretary of state, touted the passage in a statement.

"Ohio has been in desperate need of voting system upgrades to meet the elections cybersecurity challenges we face today and to modernize our aging machinery," she said. "I am happy to see our boards of elections finally getting the resources they deserve after years of state budget cuts to local government funds. I was happy to support this bipartisan bill and will continue to ensure our counties are prepared for every elections challenge."

The Lake Erie measure (SB 299) began as a way to identify and financially support projects to combat harmful algal blooms. Among other provisions, it appropriates \$3.5 million in General Revenue Fund dollars to the Department of Agriculture for soil and water conservation districts and \$20 million to the Soil and Water Phosphorus Program.

The measure became a vehicle for spending-related amendments in the House Finance Committee Tuesday, but it collected only a few changes, making it more of a "modest decorated wreath" than a true "Christmas tree bill," as explained Wednesday by sponsoring Sen. Randy Gardner (R-Bowling Green).



Those amendments included \$7.1 million in disaster funding for 18 counties that sustained widespread flooding earlier this year. Other House-added items include \$1 million to boost broadband expansion efforts and \$1.5 million for the National Guard Scholarship. (See Gongwer Ohio Report, June 26, 2018)

It cleared the lower chamber in a unanimous vote after picking up an LSC technical amendment on the floor. The Senate then followed suit, approving the item 29-0.

Rep. Steven Arndt (R-Port Clinton), who sponsored companion legislation in the House, said the measure will go a long way toward reducing algal blooms in Lake Erie.

"This particular bill is really something that is extremely critical," he said.

Sen. Gardner called the bill a "classic example" of legislation in action given its bipartisan nature.

Both chambers accepted a conference report on a measure (SB 188) to toughen penalties for fentanyl traffickers.

The House approved the conference committee report 59-10, with Rep. Nathan Manning (R-N. Ridgeville) calling it a "very small change" in that it shifts the burden of proof to the prosecution to show a defendant knew of a fentanyl-related compound in his or her possession.

In the Senate, the vote was 31-1, with Sen. Michael Skindell (D-Lakewood) the only member opposed.

Sen. Skindell said the proposal doesn't just target traffickers, but also affects drug users. He also voiced concerns with how the state considers an aggregate amount of fentanyl, even if a little bit of fentanyl is mixed with a much greater amount of another drug.

"It not only throws the drug traffickers in jail, it throws the small users in jail," he said.

Sen. LaRose, the measure's sponsor, said the user would need to have reason to know it contained fentanyl to be charged.

"We did what we could to make sure that we truly are ensnaring the traffickers and not the addicts," he said. "We rely on reasonable prosecutors. We rely on reasonable judges and juries to do the work that they do."

A proposal initially designed to eliminate the need for a special election when only one candidate is on the ballot (HB 188) cleared the Senate unanimously but faced more opposition later in the evening when the House voted 67-22 to concur.

The dissent hinged on a provision added earlier in the day that allows some local elected officials to serve on the board of trustees of a convention and visitors' bureau. *(See committee listing)*

Rep. John Becker (R-Union Twp.) said the measure goes against an advisory opinion issued by the attorney general's office.

"The reason for that conflict is quite obvious," he said.

Rep. Dorothy Pelanda (R-Marysville) said if a conflict does exist, the public official can abstain from voting on a matter.

The bill also received opposition from Rep. Tom Brinkman (R-Cincinnati) who said in light of recent event, lawmakers should do all they can to avoid any hint of impropriety.

A measure (SB 66) to provide judges with more discretion in criminal sentencing also cleared both chambers.

Rep. Nathan Manning (R-N. Ridgeville), who ushered the bill through the House Criminal Justice Committee, called the measure a smart on crime bill. He also touted several of the bill's provisions, including one that allows for expanded record sealing.

"This is something that will get people back to work," he said.

Before voting 84-2 to move the bill back to the upper chamber, an amendment offered by Rep. Bill Seitz (R-Cincinnati) was accepted to make it clear that the number of felonies that can be sealed is five with an unlimited number of misdemeanors.

Rep. Jay Edwards (R-Nelsonville) and Rep. Tim Schaffer (R-Lancaster) cast the lone "no" votes.

The Senate voted 29-0 to approve the issue, with Sen. John Eklund (R-Chardon) and Sen. Charleta B. Tavares (D-Columbus) both urging support.

Sen. Eklund specifically pointed out a change that prevents those who have more than five felonies from pursuing the sealing of records. Although it runs somewhat contrary to the Senate's effort, Sen. Eklund said the change such a person would pursue that round "is slim."

"Notwithstanding that, I certainly think the amendments are salutary...and we've come to something that will make Ohio a more just place to live," he said.

Sen. Tavares too said she believes "the integrity and the strength of the legislation remains. We are trying to do what's fair and what's right and we really believe rehabilitation should be taken seriously."

Legislation (HB 318) initially designed to deal with qualification for school resource officers picked up several changes during its journey through the legislature, including having a measure (SB 246) prohibiting expulsion and suspension of young students rolled into it while in the upper chamber.

"Suspending a six-year-old child does absolutely nothing to help them," Rep. Sarah LaTourette (R-Chagrin Falls).

It cleared the lower chamber in a 69-20 vote, with Rep. Ron Hood (R-Ashville) speaking in opposition.

"This did not get vetted in committee the way it properly needed," he said.

A bill to add prongs to the Joint Committee on Agency Rule Review process cleared the House in a 73-19 vote after Rep. Dan Ramos (R-Lorain) raised concerns that the changes could make the body more partisan.

"It is not a committee where partisanship has come in to play," he said.

Other items sent to the governor included legislation to:

- Allow restaurants to let patrons to have dogs on outdoor patios (HB 263).
- Regulate credit and debit card use by political subdivisions and make other changes to how finances are handled by local governments (HB 312).
- Create a six-month pilot program to reduce driver's license reinstatement fees (HB 336).
- Designate roads after first responders and military personnel killed in the line of duty (HB 347).
- Waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans (SB 81).
- Require drivers to move over when passing waste collection vehicles (SB 127).
- Provide a legal safe harbor for companies that enact cybersecurity protections (SB 220).
- Boost the Joint Committee on Agency Rule Review's authority to clamp down on informal rulemaking among executive agencies (SB 221).
- Create more transparency in regional councils of government (SB 239).

- Waive the concealed carry license fee for active members of the armed services and retired and honorably discharged veterans (SB 81).
- Create an enhanced penalty for distracted driving (HB 95).
- Overhaul the law relating to embalmers, crematory operators and cemeteries (HB 168).

### **Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House**

Legislation cited as "protecting" the religious beliefs of pastors and students, and a bill to limit charges from pharmacy benefit managers were among the slew of proposals receiving the House's stamp of approval during a marathon session Wednesday.

Also among the 31 measures passed in the first part of the session were a number of Senate bills that now advance to the desk of Gov. John Kasich thanks to Senate concurrence votes later in the day. The chamber also approved a conference committee report on a measure to boost penalties for drug trafficking and possession. (*See separate story*)

Regarding the religion-related legislation, both measures received substantial pushback from Democrats who contend they will open the door for discrimination.

The so-called Pastor Protection Act (HB 36) shields faith leaders, societies and others from civil repercussions should they refuse to solemnize marriage outside their beliefs. The plan picked up a floor amendment from Rep. Bill Seitz (R-Cincinnati) providing that in the event of a conflict between the bill and current public accommodations law, the legislation will take precedent.

Rep. Dan Ramos (D-Lorain) made a motion to lay the amendment on the table, which was turned back by Republicans. Rep. Janine Boyd (D-Cleveland Hts.) also moved to amend the item, but her motion was ruled out of order following the adoption of Rep. Seitz's change.

Sponsor Rep. Nino Vitale (R-Urbana) reiterated his belief the legislation does not target LGBTQ citizens. He painted it as an attempt to relieve the "tension" between contrasting beliefs and assure faith leaders existing protections under the Constitution will remain.

"This is not a sword," Rep. Vitale said. "This is intended to be a shield and protect everyone's rights."

But Rep. Boyd argued the legislation's scope is too broad in that it does not limit its provisions to religious groups or pastors.

"It is in essence saying that proprietors of property or services that rent to the public at large can turn away members of the LGBTQ community," she said, before the chamber endorsed the measure 59-29.

Similarly, the chamber voted 62-20 for a plan (HB 428) from Rep. Sarah LaTourette (R-Chagrin Falls) and Rep. Tim Ginter (R-Salem) that states students should be permitted to conduct religious expression and activities in schools in the same manner students may conduct secular activity or expression.

Rep. Kent Smith (D-Euclid) moved to amend the bill with language he said would label head coverings as permitted religious attire.

Rep. Ginter, however, voiced reservations, saying the change would open up "a pathway that is not the intention of this bill. There is no specificity in this bill toward any religion and that is purposeful." The GOP-dominated chamber as a whole agreed, turning away the proposed tweak 56-32.

Several Democrats spoke against the bill, including Rep. Ramos, who said the legislation is so broad it would permit shirts with messaging stating LGBTQ youth will go to hell or that Jesus is not real, or targeting specific faiths. To that, Rep. Ginter replied the school still has the authority to ban obscene or distracting clothing or activities.

Among other bills, the pharmacy legislation (HB 479) - from Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) - requires patients to be informed of affordable prescription options. And it limits PBMs, health plans or other administrators to charging no more than what an individual would pay for a drug were it purchased without coverage.

"For too long, PBMs have used predatory practices to target consumers and independent pharmacies," Rep. Lipps said. "I am proud Ohio is taking a lead role to end these deceiving practices, while improving transparency and lowering out-of-pocket drug costs."

Added Rep. West: "Today is a happy day here in Ohio because lower prescription drug prices are on their way."

Several pieces of legislation pertained to laws related to sexual activity, including proposals prohibiting sexting by persons under 19 years of age (HB 355) and the nonconsensual dissemination of private sexual images (HB 497) or "revenge porn." Those measures passed unanimously - 85-0 and 81-0 respectively.

So too did legislation (HB 92) requiring an offender who knowingly commits public indecency to be viewed by a minor for the purpose of sexual gratification to register as a Tier 1 sex offender if ordered by a judge (80-0).

Legislation (HB 511) establishing 18 as the age at which a person can marry was also approved with wide support (78-0). The proposal provides an exception for a 17-year-old

with the consent of a juvenile court if the other spouse-to-be is not more than four years older.

"We do not allow minors to vote, to buy cigarettes or alcohol, to rent cars or apartments or to enter into other contracts yet we allow them to (marry) - one of the most important and impactful decisions of their young lives," said Rep. Laura Lanese (R-Grove City), lead cosponsor along with Rep. John Rogers (D-Mentor-on-the-Lake).

Democrats also attempted to amend a plan (HB 502) from Rep. Marlene Anielski (R-Walton Hills) that requires educators to take in-service training on youth suicide prevention every two years. Rep. Catherine Ingram (D-Cincinnati) sought to expand the bill to cover charter schools but the amendment was tabled 44-39 before the bill advanced 82-0.

The chamber also approved legislation:

- Granting civil immunity to medical providers and emergency medical technicians operating after a disaster (HB 7).
- Prohibiting certain terms from appearing in health care contracts between vision care providers and a contracting entity and establishing new disclosure requirements (HB 156).
- Establishing a regional kinship care navigator program (HB 126).
- Licensing home inspectors via the proposed Home Inspector Board (HB 211).
- Designating the month of April as "Respect Your Date Month" and requiring higher education institutions to adopt a policy regarding dating and domestic violence (HB 240). The chamber approved an emergency clause 75-6.
- Including search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal (HB 349).
- Prohibiting consumer credit reporting agencies from charging a fee to freeze a consumer's credit report or to remove or temporarily lift a freeze (HB 386).
- Exempting police body camera and dashboard footage from public record laws under certain circumstances, such as if it depicts the identity of a child or the victim of a sex crime (HB 425).
- Authorizing a nonrefundable insurance company tax credit for contributing capital for transformational mixed use development construction (HB 469).
- Requiring the Department of Agriculture to regulate multi-parcel auctions (HB 480).

- Enacting a myriad of township changes including: increasing the obligations a board of township trustees may authorize its officers to incur, permitting a township to require reimbursement of emergency services levy revenue foregone because of the creation of a tax increment financing incentive district, and more (HB 500).
- Requiring the development and adoption of a new framework for teacher and administrator evaluations (HB 540).
- Permitting county prosecutors to enter into contract with regional airport authorities, port authorities or a regional planning commission as a legal adviser (HB 543).
- Requiring the Public Employees Retirement System Board to grant a full year of service credit to qualified members employed as nonteaching school employees of a county board of development disabilities (HB 572).
- Revising the probate process through various changes including disqualifying a person convicted of involuntary manslaughter from benefiting from the victim's death (HB 595).

### **Senate Passes Measures Focused On Reducing Regulations**

A pair of legislative efforts to rein in regulations cleared the Senate Wednesday, with Republicans saying the proposals would make life easier for businesses.

Democrats said the two measures were arbitrary efforts to reduce agency rules that don't get at the issue of targeting unneeded regulations and could reduce important oversight.

One of the items (SB 293) cleared the Senate Transportation, Commerce and Workforce Committee earlier Wednesday after the panel replaced it with a substitute version to apply the regulation-cutting mandate more broadly across state departments, rather than to individual agencies. (*See committee listing*)

As a result of the changes, the legislation would require departments overall to cut regulations by 30%, sponsor Sen. Bob Peterson (R-Sabina) said. It would also create a website where individuals and businesses can report burdensome regulations to the Joint Committee on Agency Rule Review.

"We need to know how many restrictions we have, we need to systematically review them, and we need to revisit the rules that are unnecessary," Sen. Peterson said.

Majority Republicans tabled an amendment from Sen. Charleta B. Tavares (D-Columbus) that would have eliminated the 30% reduction requirement.

"This amendment calls for them to reduce restrictions without placing the arbitrary requirement," she said. "This amendment calls on state agencies to inventory what regulations exist."

Sen. Peterson said the amendment was unnecessary because JCARR can already grant departments exemptions for certain rules.

Lawmakers can also work to reduce regulations by avoiding situations where legislation leaves the details to be sorted out by agencies, said Sen. Lou Terhar (R-Cincinnati).

"The real issue here is how many things do we and our predecessors punt on and let it go to an agency rather than making a decision," he said.

Sometimes that's appropriate, said Sen. John Eklund (R-Chardon).

"Sometimes it's an acknowledgement or a willingness to acknowledge that there are experts in the administration of the government" with more expertise than lawmakers, he said.

The measure passed along party lines.

The other effort targeting regulations (SB 255) focused on occupational licensing. Sponsor Sen. Rob McColley (R-Napoleon) said it would create a process to review the state's occupational licensing requirements every five years.

"Frankly it's costing Ohioans the ability to earn a living and it's costing Ohioans the opportunity to contribute to our economy," he said of excessive licensing requirements.

Sen. Joe Schiavoni (D-Boardman) said lawmakers should consider issues with occupational licenses and fix them rather than creating a complicated process to routinely review the need for them.

Senate President Larry Obhof (R-Medina) said he thought the government has gotten "too big, too unwieldy."

"Too much of our authority has been usurped or given away over the years by legislators who thought it was easier to punt rulemaking authority," he said.

The measure passed 24-8.

The chamber unanimously passed a measure (SB 119), known as Daniel's Law, intended to ensure patients using naltrexone, a medication-assisted treatment also known as Vivitrol, can get an emergency dose from a pharmacy in certain emergency situations.



"When in a pinch, patients will have access to every pharmacy in the state of Ohio to act as a trampoline back into the system when the system fails," sponsor Sen. Bob Hackett (R-London) said.

Also advancing in the chamber were measures to:

- Provide a definition for an insurance rating agency (SB 273).
- Modify controlled substances laws with the Board of Pharmacy, including placing the list of controlled substances in rule rather than statute (SB 229).
- Urge Congress to support the creation of the Appalachian storage hub (SCR 21).
- Call on Congress to end certain mandates and emphasize the importance of federalism and the 10<sup>th</sup> Amendment (SCR 23), which passed 25-7.

### **Bills Amended To Enhance Online School Oversight Head To Governor**

The House and Senate on Wednesday approved separate measures that were amended this week to include multiple e-school reforms and sent them to Gov. John Kasich for his signature.

While Rep. Keith Faber (R-Celina) and Rep. Bill Reineke (R-Tiffin) introduced legislation (HB 707) on the topic last week, lawmakers quickly sought alternative pathways to get some of its provisions passed sooner rather than later. The actions by the chambers achieve a goal set Speaker Ryan Smith (R-Bidwell) of pushing forward with legislation aimed at improving the state's online schools ahead of summer recess. (See Gongwer Ohio Report, June 25, 2018)

Sen. Peggy Lehner (R-Kettering), chairwoman of the Senate Education Committee said lawmakers from both chambers came to an agreement ahead of Wednesday's session that certain portions from the measure would be split among a bill (HB 87) under consideration in the Senate and another (SB 216) under consideration in the House.

"You really have to look at these two bills together," she said.

The original intent of HB 87 was to clarify that funding must be returned to local school districts when an audit of a charter school leads to a finding for recovery, while SB216 is an overhaul measure that makes dozens of changes to the state's K-12 education system.

The upper chamber passed HB 87 by a vote of 30-2 with Sen. Joe Schiavoni (D-Boardman) and Sen. Michael Skindell (D-Lakewood) voting in opposition. The House concurred in Senate amendments by a vote of 70-22.

The Senate Education Committee earlier in the day amended HB 87 to create a "safe harbor" for schools that grew by 20% from taking in former Electronic Classroom of Tomorrow students from certain accountability measures, including closure. The House Education & Career Readiness Committee on Tuesday accepted a similar amendment to SB 216 that set the threshold at for the threshold for the safe harbor at 10%. (See Gongwer Ohio Report, June 26, 2018)

Sen. Schiavoni said he cast his vote against the measure because the safe harbor provision could shield poorly performing schools from accountability.

"My concern is that by putting an amendment like this in the bill we might be creating another ECOT," he said.

Sen. Lehner said another amendment passed in the Senate committee clarifies that the safe harbor will not protect schools that would have faced closure before considering the performance of students taken in from the now-shuttered e-school.

"We are not excusing bad performance of any school," she said.

Sen. Lehner said another Senate amendment to HB 87 dealing with e-schools would require the superintendent of public instruction to set guidelines for activity-tracking software to be used by online charter schools.

Another amendment "would remove a significant conflict of interest" regarding the state auditor's office and payments by online schools, she said.

"Currently, amounts payable may be reduced according to policies determined both by the superintendent of public instruction and the auditor of state," she said. "This amendment will change the statute to require the (superintendent) to establish these policies in consultation with the (auditor) instead, so that the auditor is not put in a position to establish policies they may later audit."

Sen. Lehner said other amendments adopted by her committee that are not focused on e-schools would:

- Give school districts an additional year to put a substitute levy on the ballot.
- Clarify that only a superintendent or school board president can sign contracts and other employment documents related to the district's treasurer or his or her family members.
- Allow school districts and other public employers to "collectively contract for health clinic services."

The committee also adopted an amendment Sen. Randy Gardner (R-Bowling Green) said would prohibit the state from requiring local school boards to submit five-year

financial forecast before Nov. 30. The provision mirrors one added to SB 216 in committee Tuesday.

The House passed SB 216 by a vote of 60-32 after accepting two amendments. The Senate concurred in House amendments by a vote of 28-1 with Sen. Edna Brown (D-Toledo) in opposition.

Rep. Andy Brenner's (R-Powell) amendment required a study of school takeovers be sent to the Joint Education Oversight Committee for further review after its completion. The House accepted the amendment by a vote of 62-28.

A floor amendment offered by Rep. Jeff Rezabek (R-Clayton) and accepted by a vote of 61-28 stripped a provision from the law that would have revised the state's standard for what an "excessively absent" student is by excluding excused absences. Under existing law, a student is "excessively absent" when they miss 38 or more hours in a month or 65 or more hours in a year whether the absences were excused or not.

The House Education & Career Readiness Committee on Tuesday reported SB 216 along party lines after accepting several amendments, including one with multiple provisions aimed at e-school reform. The amendment was inspired by HB 707, which in turn took cues from recommendations offered by Auditor Dave Yost.

The amendment would require the superintendent of public instruction to craft recommended definitions for the state to adopt regarding e-school enrollment and participation and create a committee to study the potential of student-performance, among other provisions.

Sen. Lehner said she views the creation of the committee as one of the most important provisions in the two pieces of legislation.

"The study committee is the most important part of that because that's going to (lead to) more substantive long-term reforms than some of the more minor (provisions)," she said.

Rep. Teresa Fedor (D-Toledo) said the online school provisions the committee added to SB 216 need more vetting, but were being rushed into law to provide "political cover" for Republicans in the wake of the closure of the ECOT. After ECOT shut its doors in January, Auditor Yost referred his office's audit of the school for potential prosecution. (See Gongwer Ohio Report, May 10, 2018)

"I'm sorry to say this bill has been hijacked," she said.

She was gavelled out of order by Speaker Smith when she likened ECOT's funding, which is the subject of clawback efforts by the state, to an ATM for Republican campaign committees.

The panel and later the full Senate rejected an amendment offered by Sen. Schiavoni that would have set additional guidelines for e-schools. He said the change would have

required an in-person parent teacher conference to be scheduled if a student doesn't log in for 10 days and the addition of disclaimers on e-school advertisements noting if they were paid for with public money and what grades the school had received from the state, among other changes.

"We have to have additional accountability and transparency," he said.

Sen. Lehner opposed the amendment but said she agreed with Sen. Schiavoni that the state's work on updating standards for online schools is not done.

The Senate also tabled an amendment offered by Sen. Schiavoni that would have extended eased graduation requirements put in place for the class of 2018 for the next two school years. The House Education & Career Readiness Committee rejected an amendment with the same effect offered by Rep. Tavia Galonski (D-Akron) Tuesday.

Before passing SB 216, the House tabled an amendment offered by Rep. Galonski that would have appointed a special investigator in the ECOT case.

Rep. Brenner said he viewed the amendment as premature because ECOT still has an appeal before the Ohio Supreme Court related to purported overpayments the State Board of Education voted to claw back from the school, leading to its closure.

Democrats later ripped majority Republicans for refusing to add additional accountability provisions to the bill, saying it gives a "free pass to Ohio's out-of-control charter schools" and elected officials.

"This is a politically motivated bill to give the same GOP politicians who used ECOT and charter school sponsors to bankroll their campaigns a free pass on taking responsibility for the mess they created," Rep. Galonski said.

Sen. Matt Huffman (R-Lima), SB 216's primary sponsor, said crafting and passing the substantial bill involved a lot of give and take among lawmakers and interested parties.

He listed the House's changes, saying he did not agree with all of them but that the bill retains the goal that superintendents had when they suggested the package to him several months ago - that is, eliminating unnecessary and burdensome regulations.

"This is a product of about 15 months-worth of work with a lot of good things in it," he said.

State Auditor Dave Yost issued a statement Wednesday evening welcoming passage of the measures.

"The legislation approved by the General Assembly today addresses some of the weaknesses my office has pointed out for years that limited the state's ability to demand full accountability from online schools and operators," he said. "While we were not

successful in gaining passage of all reforms we believe are needed, these changes will make a significant difference."

### **Senate Panel Delays Vote On Energy Standards, Wind Setback Bill**

A Senate committee Wednesday held off on a potential vote on controversial legislation to lower the renewable and energy efficiency standards, with lead negotiators telling interested parties they are "very close" to a final product.

The closely-watched measure (HB 114) was scheduled for its eighth hearing before the Senate Energy & Natural Resources and marked for possible amendments and a vote.

But the proposal was ultimately not heard, with Chairman Sen. Troy Balderson (R-Zanesville) and Sen. Bill Beagle (R-Tipp City) instead briefing stakeholders in attendance of their progress on the bill and promising "the bill's not dead."

"It's closer (to passing) than it's been for a while," Chairman Sen. Troy Balderson (R-Zanesville) said in an interview.

The measure began as a House effort to render the standards voluntary and expand the mercantile opt-out. That followed Gov. John Kasich's 2016 veto of a similar, but less far-reaching measure (HB554, 131st General Assembly).

Senators in May then accepted a substitute version that restored the mandatory nature of the standards, although it still lowers the renewable standards to 8.5% by 2022 instead of current law's 12.5% by 2026 and the efficiency standards to 17.2% by 2026 instead of the current 22.2% by 2027. It also loosens wind setback restrictions that advocates accused of stifling the industry - a prospect House leaders have expressed reluctant to accept in the past. (See Gongwer Ohio Report, May 16, 2018)

More changes are likely, as the lawmakers court support within their caucus and among stakeholders. Sen. Beagle said they're still sorting through feedback following the most recent changes - including those related to the mercantile opt-out, the wind setbacks and energy efficiency benchmarks.

"At this point, anytime you amend something everything's kind of tight so if we move a little bit here we need to understand what the ramifications are over there and that's just taking time," Sen. Beagle said. "We want to make sure we get this right. It's been an issue we've been talking about for a long time and it's been in the chamber a while. We'd rather take some time to make sure we get the best bill we can before we send it over to the House."

Sen. Balderson said talks continue with the Kasich administration over the renewable standards proposed by the current bill.

"The administration is aware of our number," he said. "While they are not satisfied with it, we continue to have positive discussions on a number of other areas we can all agree upon."

A Kasich spokesman declined to comment on the pending legislation.

At the same time, both said they haven't gone out of their way to keep their House counterparts in the loop on discussions. Although the legislation in its current form is likely to face a steeper climb in the lower chamber, the senators said their principal concern is mustering up enough support within their own caucus.

"We're really kind of focused on making sure we have enough votes in the Senate," Sen. Beagle said. "We're really focused on getting a product we can get out hopefully on a bipartisan basis and that's tough enough."

Added Sen. Balderson: "Once we have our numbers here that we need in the Senate, then we'll focus on the House. They're aware...so there's no reason for (Sen. Beagle) and I to be sitting down in front of them."

### **Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing**

Nearly a year removed from a thrill ride breakdown at the Ohio State Fair that killed 18-year-old Tyler Jarrell and injured several others, the House took up legislation to tighten regulation of inspections overseen by the Department of Agriculture.

Sponsored by Rep. John Patterson (D-Jefferson) and Rep. Jim Hughes (R-Columbus), the measure would revise current safety inspection standards, define the qualifications for inspectors, and require owners to maintain current records for all their amusement rides.

Rep. Patterson told members of the House Agriculture & Rural Development Committee that the measure, while inspired by the tragedy, is about looking ahead "to better ensure the safety of Ohioans for years to come by revisiting current legislation to provide a more robust approach to ride safety and inspection."

The sponsors pointed out that while the rides have become more prevalent, diverse and complicated over the years, the number of Ohio inspectors has remained fairly constant.

Rep. Hughes said the bill focuses on ride inspections in two ways.

"First, it expands the Director of Agriculture's rule-making authority regarding amusement ride safety. Specifically, it requires a minimum number of inspectors be assigned to inspect a ride, ensuring that number is reasonable and adequate given the size, complexity, and nature of the ride," he said. "Second, it requires the Director to adopt the standards of the American Society for Testing and Materials, or any other equivalent standards, in whole. Current law does not require the Director to adopt these standards, neither in whole or part."

The measure also addresses the qualifications for newly hired inspectors, Rep. Hughes said. "The bill requires the Director, when employing a new Chief Inspector or an additional amusement ride inspector, to give preference to individuals who are registered professional engineers. If no registered professional engineer seeks employment as an inspector, the Director must give preference to individuals who have been issued a level one or higher inspector certification from the National Association of Amusement Ride Safety Officials."

Those restrictions would be forward-looking and not impact those currently employed as inspectors, he said.

The bill would retain the current law requirement that the ODA director provide necessary training for inspectors to administer and enforce the laws governing amusement ride safety. "Similarly, the bill still allows the director to appoint or contract other persons to perform inspections of amusement rides, provided that they meet the qualifications for inspectors and are not owners, or employees of any amusement ride subject to inspection," Rep. Hughes said.

The record-keeping mandates in the bill would apply to electronic manuals for each amusement ride that is inspected in Ohio, if available, and the ODA director may require the owner to also include "detailed written descriptions or photographs of all maintenance, repairs, and inspections in the record," Mr. Hughes said.

"Finally, HB631 prohibits ride owners from knowingly failing to keep a record or knowingly failing to make records available to the Department or ride inspector, and it imposes a fine of \$100 to \$500 for a violation of the prohibition. While current law requires an owner to keep records and make them available for inspection, it does not establish a specific penalty for failure to do so," he concluded.

Asked about the extent of the potential fines, Rep. Patterson said they could apply to every ride that's out of compliance or it could depend on the circumstances. He said the sponsors wanted to leave some discretion for ODA to develop more specific guidelines under the bill.

"We don't want the money," Rep. Hughes added. "We want them to be safe."

Rep. Kyle Koehler (R-Springfield) questioned whether the provisions would have prevented last year's failure of the Fire Ball ride.

"It definitely would have helped the situation, but what we're trying to do is prevent another occurrence of this in the future," Mr. Patterson said.

The sponsor told Rep. James Hoops (R-Napoleon) that the requirements would apply to all rides operated in the state, including those at county fairs and other events.

Chairman Rep. Brian Hill (R-Zanesville) raised the issue of funding for additional inspection duties and also noted that a review of the incident did not result in any punitive actions against state inspectors.

Rep. Jack Cera (D-Bellaire) said consideration must be given to ODA's budget if the bill is enacted.

Mr. Hughes said there have been communications with the agency regarding the proposals and further meetings with the agency are planned.

ODA spokesman Mark Bruce said the agency typically doesn't comment on pending legislation.

"The department has had discussions about possible ways to strengthen Ohio's already robust amusement ride safety program," he said in an email.

### **High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement**

Organized labor was dealt a major blow Wednesday by the U.S. Supreme Court.

In a highly anticipated decision, the court in a 5-4 ruling held that non-union workers cannot be forced to pay fees to public sector unions.

Writing for the majority, Justice Samuel Alito found the requirement that non-union employees pay "agency fees" to the collective bargaining unit runs afoul of free speech protections.

"This procedure violates the First Amendment and cannot continue," Justice Alito wrote. "Neither an agency fee nor any other payment to the union may be deducted from a nonmember's wages, nor may any other attempt be made to collect such a payment, unless the employee affirmatively consents to pay. By agreeing to pay, nonmembers are waiving their First Amendment rights, and such a waiver cannot be presumed."

He was joined in his opinion by Chief Justice John Roberts, Justice Clarence Thomas, Justice Neil Gorsuch and Justice Anthony Kennedy, considered the swing vote on the court and who announced his retirement Wednesday.

The decision overturns a 1977 high court ruling that upheld the practice as constitutional.

"We recognize that the loss of payments from nonmembers may cause unions to experience unpleasant transition costs in the short term, and may require unions to make adjustments in order to attract and retain members. But we must weigh these disadvantages against the considerable windfall that unions have received under *Abood* for the past 41 years," Justice Alito wrote.



"It is hard to estimate how many billions of dollars have been taken from nonmembers and transferred to public-sector unions in violation of the First Amendment. Those unconstitutional exactions cannot be allowed to continue indefinitely."

Statements for and against the decision poured in swiftly.

Ohio Republicans were largely silent on the ruling. However, the Buckeye Institute cheered the decision.

"The Supreme Court today in *Janus v. AFSCME* announced its basic rule of human decency and common sense: consent matters - and hardworking public-sector workers can no longer be forced to pay for political speech or other activities without their affirmative consent," President and CEO Robert Alt said in a statement.

The American Legislative Exchange Council also hailed the ruling.

"Today's Janus decision overturns a precedent set 41 years ago. This will allow workers to keep their pay, they will no longer be forced to pay fees that support a union's collective bargaining efforts and administrative work," said Robert Ordway, Director of the Commerce, Insurance and Economic Development Task Force at ALEC.

The court's liberal justices dissented in the decision, with Justice Elena Kagan writing that the majority's holding will lead to "a collective action problem of nightmarish proportions."

Among the repercussions of the decision, she predicted that it will lead to a decline in public sector unionization.

"Everyone - not just those who oppose the union, but also those who back it - has an economic incentive to withhold dues; only altruism or loyalty - as against financial self-interest - can explain why an employee would pay the union for its services," she wrote in a dissent joined by Justice Ruth Bader Ginsburg, Justice Stephen Breyer and Justice Sonia Sotomayor.

She also accused the majority of "weaponizing the First Amendment, in a way that unleashes judges, now and in the future, to intervene in economic and regulatory policy."

Several Democratic lawmakers blasted the decision in statements, as did unions. Jay McDonald, president of the Ohio Fraternal Order of Police, said the group is "confident that our membership understands the value of belonging to the FOP and we will continue to work hard to keep their trust."

Ohio AFL-CIO President Tim Burga said "billionaires and corporate special interests that have manipulated our system of justice have succeeded in getting the highest court in the land to do their bidding."